DOCUMENT RESUME

ED 145 542 EA 010 008

| | |
|---|---|
| TITLE | Attendance and Enrollment Accounting and Reporting in California Public Schools. School Business Administration Publication No. 5. |
| INSTITUTION | California State Dept. of Education, Sacramento. Bureau of Management Services. |
| PUB DATE | 77 |
| NOTE | 126p.; Several pages may be marginally legible due to very small print |
| AVAILABLE FROM | Publications Sales, California State Department of Education, P.O. Box 271, Sacramento, California 95802 ($2.80) |
| EDRS PRICE | MF-$0.83 Plus Postage. HC Not Available from EDRS. |
| DESCRIPTORS | Admission (School); *Attendance Records; *Average Daily Attendance; Educational Accountability; *Enrollment; Gifted; Handicapped Children; *School Accounting; *School Attendance Legislation; State Legislation |
| IDENTIFIERS | *California |

ABSTRACT

This manual is based on the belief that sufficient instructions on attendance accounting already existed, mostly in California laws and regulations and that attempts to restate the instructions in language other than the original might mislead the reader as to the intent and meaning of the instructions. The result is that the text of the manual consists primarily of excerpts from codes governing attendance accounting and reporting together with explanatory material. The aim of the manual is to aid public school administrators and supervisors of child welfare and attendance to interpret, uniformly and objectively, the laws and regulations governing attendance accounting and reporting in California public schools and to improve the procedures of accounting used locally. (Author/MLF)

**********
* Documents acquired by ERIC include many informal unpublished *
* materials not available from other sources. ERIC makes every effort *
* to obtain the best copy available. Nevertheless, items of marginal *
* reproducibility are often encountered and this affects the quality *
* of the microfiche and hardcopy reproductions ERIC makes available *
* via the ERIC Document Reproduction Service (EDRS). EDRS is not *
* responsible for the quality of the original document. Reproductions *
* supplied by EDRS are the best that can be made from the original. *
**********

ED145542

EA 010 008

"PERMISSION TO REPRODUCE THIS MATERIAL IN MICROFICHE ONLY HAS BEEN GRANTED BY

M. Butler

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC) AND USERS OF THE ERIC SYSTEM."

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE NATIONAL INSTITUTE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

# Attendance and Enrollment Accounting and Reporting in California Public Schools

School Business Administration
Publication No. 5

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Wilson Riles—Superintendent of Public Instruction
Sacramento 1977

This publication, which was edited and prepared for photo-offset production by the Bureau of Publications, California State Department of Education, was published by the Department, 721 Capitol Mall, Sacramento, CA 95814.

Printed by the Office of State Printing and distributed under the provisions of the Library Distribution Act

1977

Copies of this publication are available for $2.80 each, plus 6 percent sales tax for California residents, from Publications Sales, California State Department of Education, P.O. Box 271, Sacramento, CA 95802. A list of other publications that are available from the Department, **Selected Publications of the California State Department of Education,** can be obtained by writing to the same address.

# Foreword

Within our educational system in California, we have developed certain attendance accounting procedures for keeping track of where our students are, and we use those procedures for several reasons. First, a student's being in class is an integral part of his or her education, and parents want assurance that we require such attendance. Second, attendance accounting can be a valuable aid to counseling and school planning and scheduling. A third reason is that the best interests of child welfare in general require us to verify promptly the reasons for student absence. In addition, the number of students who participate in public education and the grade level or type of program in which they participate determine how money is apportioned for their education. Without good attendance accounting procedures, we would find making such apportionments virtually impossible.

Obviously, we should use an attendance accounting system that incorporates common definitions and procedures to cover in fair and consistent ways the many different aspects of operating California's educational system, and we do have a system that is detailed and thorough. But as with so many other matters, our attendance accounting methods have become rather complex. Since the first edition of the attendance accounting manual was published in 1950, the population of the state has doubled, the number of special state and federal programs has increased in like manner, and the Department's instructions on attendance accounting procedures have grown accordingly.

This growth in attendance accounting policies and procedures can be attributed in part to an increase in the number of students in California schools and an increase in the number of programs. However, as our educational system has extended more and more programs to more and more members of the community, the citizens of the state as a whole have demanded, through their legislators, more detailed accounting of the expenditure of money on education. Out of the Serrano issue will most certainly emerge some form of restructuring of the school financing system that will draw even more attention from members of the community.

Such accountability is necessary, and we should welcome it for several reasons. Through the accounting of pupil attendance, we can show to the legislators and taxpayers where their support is needed, and we can justify our requests for adequate support for our schools and programs.

This manual is designed to help you, the school administrator and teacher, maintain a sound and consistent system for the accounting of student attendance. I am certain that you will find the manual useful in your quest for excellence in the education of California's children. And let us not forget as we deal with the issues of attendance that our communities and the state have entrusted us not only with the education of children but also with their safety while they are under our care. Without good attendance policies and procedures applied in consistent ways, we would surely have difficulty meeting our important responsibilities in the education of California's children.

Wilson Riles

*Superintendent of Public Instruction*

# Preface

California spends an average of $1,595 annually on each of 4.5 million students in its public schools (kindergarten through grade twelve) at a cost of more than $6.4 billion. The state's 1,042 school districts employ 364,000 persons to staff 7,045 schools, making the districts the single largest employer in the state. It should surprise no one, then, when Superintendent Riles refers to public schooling as "California's biggest business."

The State Department of Education distributes more than $2 billion in state money each year to support California's public schools. In turn, the Department relies on persons in school districts and offices of county superintendents of schools to prepare and forward the attendance reports that determine the amounts of money to be distributed. Only by means of complete and accurate recording and reporting of average daily attendance can school districts receive the amounts of money due to them. To help ensure satisfactory attendance accounting and reporting, the Department has revised this manual, last issued in 1967.

Department of Education field representatives in the Bureau of Management Services and editors in the Bureau of Publications worked together to produce a manual considerably different from its predecessors. They based their efforts on the belief that sufficient instructions on attendance accounting already existed, mostly in state law and regulations, and that attempts to restate the instructions in language other than the original might mislead the reader as to the intent and meaning of the instructions. The result is that the text of the manual consists primarily of excerpts from codes governing attendance accounting and reporting together with explanatory material.

To make best use of the manual, the reader should first study Chapter I and then refer to the contents and the index. The manual should be used together with the most recent edition of the State School Register. It is hoped that the manual will aid public school administrators and supervisors of child welfare and attendance to interpret, uniformly and objectively, the laws and regulations governing attendance accounting and reporting in California public schools and to improve the procedures of accounting used locally.

This manual was produced through the efforts of many persons. The Department is grateful for the assistance of the California Association of Supervisors of Child Welfare and Attendance; the Southern Section Accounting Committee, California Association of School Business Officials; Jack T. Erikson, Consultant, Attendance and Welfare Services, Office of the Los Angeles County Superintendent of Schools; and Melvin W. Gipe, former Education Research and Evaluation Consultant in the Departments's Bureau of School Apportionments and Reports. The Department also recognizes the efforts of Robert Bennett, Field Representative, Bureau of Management Services, in directing and coordinating the entire effort.

WILLIAM D. WHITENECK
*Deputy Superintendent*
*for Administration*

JACQUE T. ROSS
*Chief, Division*
*of Administrative Services*

JACK LIEBERMANN
*Chief, Bureau*
*of Management Services*

## Useful References on Attendance Accounting Available from the State Department of Education

Persons responsible for attendance accounting should refer to certain useful publications available from the State Department of Education:[1]

| | *Price* |
|---|---|
| *Administration of the School District Budget* (1975), including 1977 supplement | $1.75 |
| *California School Accounting Manual* (1976) | 1.65 |
| *Education of the Visually Handicapped in California Public Schools* (1970) | .85 |
| *Guide to the Education of the Deaf in the Public Schools of California* (1967) | .65 |
| *Handbook for Junior High School Education in California* (1969) | .65 |
| *Handbook for Teachers of Adults* (1968) | .65 |
| *Handbook on Adult Education* (temporarily out of print) | |
| *Handbook on Continuation Education in California* (1973) | .65 |
| *Home and Hospital Instruction in California* (1969) | .65 |
| *State School Register (Form No. J-32)* (1976) | |
| *State School Register: Remedial Education* (1977) | |
| *Work Permit Handbook for California Public Schools* (1976) | 1.50 |
| *Work-Study Handbook for Educable Mentally Retarded Minors Enrolled in High School Programs in California Public Schools* (1971) | .65 |

*Note:* The list prices include charges for mailing and handling. Purchasers in California should add 6 percent to the price for sales tax. Checks should be made payable to the California State Department of Education. Only purchase orders from government agencies in California will be accepted without a remittance; special agency invoices or voucher forms received without a remittance will *not* be accepted. All sales are final.

Orders for publications should be sent to:

Publications Sales
California State Department of Education
P.O. Box 271
Sacramento, CA 95802

Persons wanting to purchase Department of Education publications in person in Sacramento may do so at the cashier's window, mezzanine, Downtown Plaza Building, 515 L Street, weekdays between 7:30 a.m. and 4:45 p.m. (Public parking is available beneath the building.)

Telephone inquiries should be made to 916-445-1261 or 916-445-3497.

A complete list of publications available from the Department may be obtained by writing to the address listed above.

---

[1]The Education Code (Assembly Bill 3100, Statutes of 1976) is distributed by the Legislative Bill Room, 1149 State Capitol, Sacramento, CA 95814 (telephone 916-445-2323); the California Administrative Code is distributed by the Documents Section, Department of General Services, P.O. Box 20191, Sacramento, CA 95820 (telephone 916-445-1020).

# Contents


Foreword . . . . . iii
Preface . . . . . v

**Chapter I – Introduction to Attendance Accounting** . . . . . 1

Importance of Good Records . . . . . 1
Purposes of Attendance Accounting . . . . . 1
School District Rules and Regulations . . . . . 1
Approval of Attendance Forms . . . . . 1
Types of Help Available . . . . . 2
Responsibility for Attendance Accounting . . . . . 2

**Chapter II – Admission of Students to School** . . . . . 4

School District Attendance Areas . . . . . 4
Admission to Kindergarten . . . . . 4
Admission to Elementary School . . . . . 5
Admission to Junior High School . . . . . 6
Admission to High School . . . . . 8
Admission to Classes for Adults . . . . . 10

**Chapter III – Requirements and Methods for Maintaining Attendance and Enrollment Records and Reports** . . . . . 11

Positive and Negative Attendance Accounting . . . . . 11
State School Register . . . . . 12
Approval of Other Attendance Systems . . . . . 14
Central Attendance Accounting . . . . . 14
Maintenance of a General Record . . . . . 14
Reports Required for Attendance and Enrollment Purposes . . . . . 16
Distribution of State Forms . . . . . 24
Destruction of Records . . . . . 24
Privacy of Records . . . . . 26

**Chapter IV – Effect of Absences and Special Observances on Attendance Accounting** . . . . . 27

Absences Allowable as Apportionment Attendance . . . . . 27
Verfication of Absences Allowable as Apportionment Attendance . . . . . 28
Absences Not Allowed for Apportionment . . . . . 28
Partial-Day Absences for Unauthorized Reasons . . . . . 29
Absences for Religious Purposes . . . . . 29
Holidays and Special Observances . . . . . 29

**Chapter V – Attendance Accounting by Grade Level and Program** . . . . . 31

Definitions of Terms Used in Attendance Accounting . . . . . 31
Attendance Accounting by Grade Level . . . . . 33
Attendance Accounting by Program . . . . . 36

**Chapter VI – Attendance Accounting for Individuals with Exceptional Needs** . . . . . 48

Provisions for the Educationally Handicapped . . . . . 48
Provisions for the Learning Handicapped . . . . . 52
Provisions for the Physically Handicapped . . . . . 57
Provisions for the Mentally Gifted . . . . . 65
Master Plan for Special Education . . . . . 66

**Chapter VII – Attendance Accounting in Special Situations** . . . . . 67

Adults in Institutions . . . . . 67
Children in Special Situations . . . . . 67
Emergency Attendance Accounting . . . . . 69
Emergency Elementary Schools . . . . . 70
Interdistrict Attendance . . . . . 70
Interstate Attendance . . . . . 73
Juvenile Hall Schools and Schools in Juvenile Homes and Camps . . . . . 74
Residents of Mexico . . . . . 75

**Chapter VIII – Relationship of Attendance Accounting to Public School Finance** . . . . . 76

A Monetary System for Education . . . . . 76
The State School Fund . . . . . 76
Apportionment of Funds . . . . . 77
Annual Attendance Reports . . . . . 78
Foundation Program . . . . . 78
A Major Responsibility . . . . . 79

**Appendixes**

Appendix A – Old and New Education Code Section Numbers . . . . . 81
Appendix B – Application of Laws Governing Access to and Removal of Information in Student Records . . . . . 84
Appendix C – Attendance Accounting Internal Control Worksheet . . . . . 85
Appendix D – State Department of Education Report Forms Relating to Attendance Accounting . . 87

**Index** . . . . . 115

# Chapter I Introduction to Attendance Accounting

So that the regular attendance of pupils and general compliance with California's compulsory school attendance law can be ensured, attendance and enrollment records for every pupil must be kept in accordance with the provisions of the California Education Code, the California Administrative Code, Title 5, Education, and the directives of the Superintendent of Public Instruction.

## Importance of Good Records

State School Fund apportionments and district property-tax levies for school purposes are now based on formulas prescribed by Senate Bill 90 (Chapter 1406, Statutes of 1972) and its amendments. California school districts receive apportionments from the State School Fund on the basis of state reports that indicate the number of units of average daily attendance (a.d.a.) each district has generated during the year. Equalization formulas are applied to state apportionments so that school districts with lower assessed valuations per pupil receive larger state apportionments per unit of a.d.a. than do wealthier school districts maintaining similar grade levels. Additional apportionments based on a.d.a are granted for programs such as those for the mentally gifted, for individuals with exceptional needs, and for driver training. (See Chapter VIII of this manual for a more complete discussion of the relationship of a.d.a. to school support.)

Because of the relationship of attendance to state apportionments and property taxes, the school district governing board and administration should develop, maintain, and supervise accurate and adequate records for attendance accounting. These records are subject to audit by contract accountants under the compulsory state audit program and to review by field representatives of the State Department of Education. District employees who have responsibility for attendance accounting functions should understand the importance of keeping accurate, businesslike attendance records that conform to existing state regulations, board policies, and administrative procedures.

The legal provisions relating to public school attendance must be interpreted objectively and applied uniformly. Subjective interpretation and variable application would result in an inequitable distribution of state aid.

## Purposes of Attendance Accounting

The major purpose of attendance accounting is the same at all levels of education: to provide an accounting of the whereabouts of the pupil at all times when he or she is under school jurisdiction. The extent of the accounting is controlled by legal requirements and school district policy.

The purpose of attendance accounting from a fiscal standpoint is to provide the basis on which apportionments of state funds are made to school districts. For apportionment purposes school districts are required to keep separately the attendance of students at various grade levels and in different programs. The Bureau of School Apportionments and Reports in the Department of Education provides the forms needed for reporting attendance for apportionment purposes.

## School District Rules and Regulations

The school district governing board should formulate and adopt rules and regulations relating to attendance accounting in the district, including but not limited to the following matters:

1. Assigning responsibilities for supervising attendance accounting activities and for filing attendance reports
2. Determining the attendance accounting system to be used and obtaining approval from the State Department of Education if the State School Register is not used for attendance accounting purposes
3. Maintaining complete records relating to attendance accounting in accordance with all legal requirements and with the rules and regulations of the State Board of Education or other governing agencies
4. Maintaining attendance accounting records on a basis adequate to support all regular or special state and federal subventions for which the district qualifies
5. Assigning responsibilities for verifying absence due to illness, quarantine, bereavement, or jury duty
6. Securing advance approval from the State Department of Education for certain special classes and programs, such as classes for adults; continuation classes; classes for individuals with exceptional needs; programs for evening high schools, adult schools, summer schools, and continuation high schools; and regional occupational programs (Advance approval must also be secured if classes for physically handicapped or educationally handicapped pupils will exceed prescribed class-size requirements.)

## Approval of Attendance Forms

The attendance of students must be accounted for in the State School Register (Department of Education Form J-32) unless the school district has obtained approval from the State Department of Education to maintain central attendance

accounting records or to contract for attendance accounting through a regional data-processing center.

The Bureau of Management Services in the Department of Education approves high school attendance accounting forms in accordance with Section 401 of the California Administrative Code, Title 5, Education. The bureau also approves central attendance accounting in lieu of state school registers for elementary schools in accordance with Education Code Section 13558.

District-supplied attendance accounting forms that are reviewed for approval must provide for the accumulation of data necessary to meet local, state, and federal requirements for attendance reporting. The forms must, therefore, provide for such data as daily records of absences (if the negative method of attendance accounting is used) or of actual attendance (if the positive method is used); summaries of attendance by the school month; attendance totals for the first reporting period, the second reporting period, and the annual state attendance reports. The forms must also contain clear instructions for their use, including a formula for proving the accuracy of the entries and procedures or instructions for reporting less than full days of attendance.

Each year more school districts are submitting requests for approval of attendance accounting by the use of data processing machines for all levels of education. The forms used in data processing are reviewed for approval in the same manner as manually prepared forms, and they must provide for the gathering of the same data identified in the preceding paragraph.

## Types of Help Available

A variety of reference materials and consultant services is available to persons charged with responsibility for attendance accounting. A brief description of the help that is available follows:

### Reference Materials

School administrators and state and county personnel responsible for attendance accounting should study and use for reference the latest editions of relevant publications available from state, county, and other sources. State publications of importance to attendance accounting include the following:

- *Education Code.* The Education Code, which contains the laws passed by the California Legislature and approved by the Governor, is prepared by the Office of Legislative Counsel, State of California. It is available from the Department of General Services, Documents Section, P.O. Box 20191, Sacramento, CA 95820. The newly revised Education Code, which was adopted in 1976, became effective on April 30, 1977.
- *California Administrative Code, Title 5, Education.* The California Administrative Code is published by the Office of Administrative Procedure, Department of General Services. Title 5 of this code contains the regulations adopted by the State Board of Education to carry out the provisions of the Education Code. It is available from the same source as the Education Code.
- *State School Register and other Department Publications.* A copy of the latest edition of the State School Register (Department of Education Form J-32) should be obtained from the office of the county superintendent of schools for each kindergarten and elementary classroom teacher. Also, at least one copy should be provided for each elementary school in districts that employ a central attendance accounting system.

Other State Department of Education publications contain material relevant to attendance accounting in the specialized areas of education for the deaf, education for the visually handicapped, adult education, continuation education, home and hospital instruction, and so forth. Such publications are listed in *Selected Publications of the California State Department of Education,* which may be obtained at no cost from the California State Department of Education, P.O. Box 271, Sacramento, CA 95802.

The State Department of Education can provide information, assistance, and consultant services to educators and school districts. A list of such services and applicable telephone numbers is in the *California Public School Directory.*

### Other Materials

From time to time throughout the year, the State Department of Education and county superintendents of schools provide revised and supplemental information on regulations and legislation pertinent to school attendance accounting. Typical materials supplied are periodic and annual attendance and enrollment forms, county manuals or bulletins, digests of laws relating to child welfare and attendance accounting, and relevant bulletins and announcements of professional associations.

## Responsibility for Attendance Accounting

School district revenue is in large part a product of attendance and enrollment information submitted to the Bureau of School Apportionments and Reports in the Department of Education. Because school districts vary in size and administrative complexity, the staff requirements for attendance accounting will also vary to some extent among districts. Staff members representing several disciplines are usually involved in meeting the school district's responsibility for attendance accounting:

- *Business services personnel.* Business services personnel typically provide for the following: attendance-accounting system design and procedures; coordination and training; assistance in the gathering and summarizing of attendance data; internal auditing; report preparation; and the typing, signing, and filing of state reports by due dates.
- *Attendance supervisors.* Education Code Section 12351 gives to boards of education the authority to employ

attendance supervisors and assign duties in this area of responsibility. It is not uncommon for attendance supervisors to provide training and service to school personnel or to supply necessary material and information to standardize and summarize attendance and enrollment data. (Education Code sections 888 and 888.1 allow a county superintendent of schools to employ supervisors of attendance in school districts that are not served by district supervisors of attendance.)

- *Special education personnel.* Special education personnel provide knowledge of attendance laws and regulations in the area of special education attendance.

- *Teachers and principals.* Teachers and principals must record attendance information, as prescribed in this manual under the authority of Education Code Section 13558 and California Administrative Code, Title 5, Education, Section 400.

## Abbreviations of Publications Cited

Most of this publication consists of direct quotations of sections of state legal documents governing attendance accounting in the schools. The following abbreviations have been used throughout this publication to identify the document from which the material was taken:

| | |
|---|---|
| 5CAC | California Administrative Code, Title 5, Education |
| CGC | California Government Code |
| EC | Education Code |
| WIC | Welfare and Institutions Code |

# Chapter II Admission of Students to School

With certain exceptions, as set forth in the Education Code, full-time education is compulsory in California for persons between six and sixteen years of age. Also, continuation education is compulsory for certain persons sixteen and seventeen years of age. In addition, enrollment in correspondence school courses does not exempt minors from the provisions of the compulsory education laws. The sections of the Education Code that pertain to compulsory education are as follows:

**Children Between Ages of 6 and 16** [EC48200][1]

**EC12101.** Each person between the ages of 6 and 16 years not exempted under the provisions of this chapter is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under the provisions of Chapter 7 (commencing at Section 12551) shall attend the public full-time day school or continuation school or classes for the full time designated as the length of the schoolday by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of such pupil shall send the pupil to the public full-time day school or continuation school or classes for the full time designated as the length of the schoolday by the governing board of the school district in which the residence of either the parent or legal guardian is located. Residency, for the purpose of attendance in the public schools, shall be determined by Section 17.1 of the Welfare and Institutions Code.

Unless otherwise provided for in this code, a pupil shall not be enrolled for less than the minimum schoolday established by law.

**Pupils Deemed in Compliance With Residency Requirements** [EC48204]

**EC12101.1.** Notwithstanding Section 12101, a pupil shall be deemed to have complied with the residency requirements for school attendance in a school district, provided he or she is:

(a) A pupil placed within the boundaries of that school district in a regularly established licensed children's institution, or a licensed foster home, or a family home pursuant to a commitment or placement under Chapter 2 (commencing with Section 500) of Part 1 of Division 2 of the Welfare and Institutions Code.

An agency placing a pupil in such a home or institution shall provide evidence to the school that the placement or commitment is pursuant to law.

(b) A pupil for whom interdistrict attendance has been approved pursuant to the provisions of Article 7 (commencing with Section 10800) of Chapter 1 of Division 9.

(c) A pupil whose residence is located within the boundaries of that school district and whose parent or legal guardian is relieved of responsibility, control, and authority through emancipation.

(d) A pupil whose parent or legal guardian has established the residence of the pupil in a home located within the boundaries of that school district, provided such home is properly licensed as required by law. The person maintaining such a home shall provide evidence to the school that a current license is in effect or that a license is not required under the law.

[1]The new (reorganized) Education Code is now in effect. Throughout this publication the new section number for each of the Education Code sections presented is given in brackets at the beginning of the section. For a complete listing of the old Education Code section numbers cited in this publication, together with the corresponding new section numbers, the reader should refer to Appendix A.

***Removal to Another District*** [EC48201]

**EC12102.** Any parent, guardian, or other person having control or charge of any minor between the ages of 6 and 16 years who removes the minor from any city, city and county, or school district before the completion of the current school term, shall enroll the minor in a public full-time day school of the city, city and county, or school district to which the minor is removed.

***Weekly Minimum Attendance Requirement*** [EC48400]

**EC12551.** All persons 16 years of age or older and under 18 years of age, not otherwise exempted by this chapter, shall attend upon special continuation education classes maintained by the governing board of the high school district in which they reside, or by the governing board of a neighboring high school district, for not less than four 60-minute hours per week for the regularly established annual school term. Such minimum attendance requirement of four 60-minute hours per week may be satisfied by any combination of attendance upon special continuation education classes and regional occupational centers or programs.

## School District Attendance Areas

The governing board of a school district has the authority to establish attendance areas within the school district and to require the pupils living within the attendance area to attend the school designated for that attendance area. The establishment of attendance areas within a school district is the sole responsibility of the governing board of the school district. (Opinion of the State Department of Education, July 22, 1947)

The policy of the State Board of Education with regard to prevention of racial and ethnic imbalance in school attendance areas is set forth in Section 14020 of the California Administrative Code, Title 5, Education:

**5CAC14020. State Board Policy.** It is the declared policy of the State Board of Education that persons or agencies responsible for the establishment of school attendance centers or the assignment of pupils thereto shall exert all effort to prevent and eliminate racial and ethnic imbalance in pupil enrollment. The prevention and elimination of such imbalance shall be given high priority in all decisions relating to school sites, school attendance areas and school attendance practices.

## Admission to Kindergarten

If a school district maintains an elementary school, it also has a responsibility to maintain a kindergarten and to admit all those children who are eligible for admission. The laws governing the establishment of kindergartens and the admission of children appear in the Education Code, and the major code sections are cited here:

***Establishment and Maintenance of Kindergartens*** [EC37040]

**EC5251. The governing board of any school district that maintains one or more elementary schools shall establish and maintain such number of kindergartens as are necessary for children living in the district who are eligible for admission pursuant to Section 5254 but are not eligible for admission pursuant to Section 5301 and whose parents or guardians present them for admission.**

***Combined Kindergarten and First Grade*** [EC37041]

**EC5252. The kindergarten and the first grade may be combined in one class if the total class enrollment does not exceed the enrollment fixed by Section 17507 as permissible for grade 1 without reduction of average daily attendance. The attendance of the children enrolled in the kindergarten in such a class shall be counted as attendance upon a kindergarten.**

***Effect of Combining Kindergarten With One or More Elementary Grades*** [EC37045]

**EC5258.** The governing board may conduct the kindergarten in the same room with and by the same teacher conducting one or more elementary grades maintained by the district. The minimum schoolday for pupils of a kindergarten which is so conducted is 180 minutes, inclusive of recesses, and the attendance of the children enrolled in the kindergarten shall be counted as attendance upon a kindergarten. The minimum schooldays for pupils of the other grades so conducted are those specified in Sections 11005 and 11006, exclusive of noon intermissions and recesses, and the attendance of the children enrolled in such other grades shall be counted as attendance upon those grades.

No teacher shall teach more than one such class in any single schoolday.

### Minimum Age of Admission

A child must be four years nine months of age on or before September 1 for admission to kindergarten in the fall semester. In districts maintaining two terms during the school year, the child must be four years nine months of age on or before February 1 for admission in the second term. School districts may admit as late enrollees children who become five years of age during the school year and whose parents present them for admissions, according to this provision of the Education Code:

***Minimum Age of Admission*** [EC48000]

**EC5254.** (a) A child shall be admitted to a kindergarten in any term during the first school month of the term, if he is of the age prescribed. For good cause the governing board of a school district may permit a child of proper age to be admitted to a class after the first school month of the school term.

If there is but one term during the school year, the child shall be 4 years and 9 months of age on or before September 1st of the current school year. If there are two terms maintained during the school year, the child shall be 4 years and 9 months of age on or before September 1st of the current school year, before he may be admitted in the first term of the school year, or 4 years and 9 months of age on or before February 1st of the current school year, before he may be admitted in the second term in any school year.

A child who will be 4 years and 9 months of age on or before September 1st, may be admitted to the prekindergarten summer program maintained by the school district for pupils who will be enrolling in kindergarten in September.

(b) The governing board of any school district maintaining one or more kindergartens may admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian. The governing board shall provide the parent or guardian with information as to the advantages and disadvantages and any other explanatory information as to the effects of this early admittance.

A child who will be four years nine months of age by September 1 *may* be admitted to prekindergarten intersession (year-round schools) or summer school, but *not* for apportionment purposes. A child who is five years old may be admitted to an approved kindergarten summer school or an approved kindergarten intersession (year-round schools) whether or not he or she has previously attended a regular day kindergarten, and the district *may* claim such attendance for apportionment purposes. (Department of Education bulletin, Jack Liebermann, Bureau of Management Services, February 5, 1975)

### Proof of Age for Admission

***Evidence of Minimum Age Required to Enter Kindergarten or First Grade*** [EC48002]

**EC10504. The parent or guardian of a child shall, prior to the admission of the child to the kindergarten or first grade of a school district, present proof to the authorities of the district evidencing that such child is of the minimum age fixed by law for admission thereto. Such evidence shall be in the form of a certified copy of a birth record or a statement by the local registrar or a county recorder certifying the date of birth, or a baptism certificate duly attested, or a passport, or, when none of the foregoing is obtainable, an affidavit of the parent, guardian, or custodian of the minor.**

***Evidence of Minimum Age in Districts With Average Daily Attendance of 60,000*** [EC48003]

**EC10505. Anything in Section 10504 to the contrary notwithstanding, governing boards of school districts having an average daily attendance of 60,000 or more pupils shall admit a child to the kindergarten or first grade of the school district upon presentation of such proof of age of the child as shall be prescribed by the governing board of the district.**

The Attorney General of California has held that authorities of a school district are not required to accept the Notification of Birth Registration issued by the State Department of Public Health (as distinguished from a Certificate of Birth) as proof of age for admission of children to kindergarten or the first grade. (26 Ops. Cal. AG 1; 1955)

## Admission to Elementary School

**(First Through Eighth Grades)**

As in the case of admissions to kindergarten, the Education Code specifies who may be enrolled in an elementary school, and the code also outlines certain school district responsibilities in connection with the admissions to an elementary school, which are identified in the paragraphs that follow.

### Admission When School Year Is One or Two Terms

A child who has reached the age of five years nine months on or before September 1 of the current school year shall be admitted to a first grade during the first month of the school term. For good cause, the governing board of the school district may permit a child who has become five years nine months of age on or before September 1 to be admitted after the first month of the school term.

A child who has reached the age of five years nine months on or before September 1 of the current school year shall be admitted to a first grade during the first month of the first or second term.

A child who has reached the age of five years nine months on or before February 1 of the current school year shall be admitted to a first grade during the first month of the second term. For good cause, the governing board of a school district may permit a child who has become five years nine months of age on or before February 1 of the current school year to enter the first grade after the first month of the second term.

***Minimum Age of Admission*** [EC48010]

**EC5301. A child shall be admitted to the first grade of an elementary school during the first month of any school term if he is of the age prescribed in this section. For good cause, the governing board of a school district may permit a child of proper age to be admitted to a class after the first school month of the school term.**

**If there is but one term during the school year, the child shall be five years and nine months of age on or before September 1st, of the current school year. If there are two terms maintained during the school year, the child shall be five years and nine months of age on or before September 1st, of the current school year, before he may be admitted in the first term of the school year, or five years and nine months of age on or before February 1st, of the current school year, before he may be admitted in the second term of any school year.**

### Admission of Pupils from Kindergarten

***Admission on Completing Kindergarten; Grade Placement of Pupils Coming from Other Districts*** [EC48011]

EC5302. A child who has been lawfully admitted to the kindergarten, as defined by the State of California, maintained by a private or a public school in California or any other state, and who has completed one year therein shall be admitted to the first grade of an elementary school regardless of age.

A child who has been lawfully admitted to a public school kindergarten or a private school kindergarten in California and who is judged by the administration of the school district, in accordance with rules and regulations adopted by the State Board of Education, to be ready for first-grade work may be admitted to the first grade at the discretion of the school administration of the district and with the consent of the child's parent or guardian regardless of age.

Where a child has been legally enrolled in the public schools of another district within or out of the state, he may be admitted to school and placed in the grade of enrollment in the district of former attendance, at the discretion of the school administration of the district entered.

No child shall be admitted to the first grade of an elementary school pursuant to this section unless the child is at least five years of age.

*Evidence of enrollment and grade placement for pupils admitted by transfer.* Governing boards of receiving districts should require transferring pupils to present evidence of enrollment and grade placement in the school of former attendance.

*Minimum criteria for placement of kindergarten pupils in first grade.* The minimum criteria for early advancement of a kindergarten pupil to first grade are set forth in Section 200 of the California Administrative Code, Title 5, Education.

**5CAC200. Admittance to First Grade from Kindergarten. A child who has been lawfully admitted to a public school kindergarten in California may be placed in the first grade at the discretion of the administration of a school district if it determines that the child is ready for first grade work.**

**(a) The governing board shall adopt regulations setting forth the procedures to be followed.**

**(b) The procedures adopted shall insure that a kindergarten pupil placed in the first grade meets the following minimum criteria:**

**(1) The child is at least five years of age.**

**(2) The child has attended a public school kindergarten for a long enough time to enable school personnel to evaluate his ability.**

**(3) The child is in the upper five percent of his age group in terms of general mental ability.**

**(4) The physical development and social maturity of the child are consistent with his advanced mental ability.**

**(5) The parent or guardian of the child has filed with the school district a written statement approving placement in the first grade.**

### Other Age Requirements for Admission

*Admission of adults to day elementary schools.* Education Code Section 5304 provides that the day elementary schools of each school district may be open for the admission of adults if the governing body of the district deems the admission advisable. Such admission includes persons eighteen or more years of age.

*Admission of physically handicapped pupils.* Education Code Section 6809 authorizes the admission of physically handicapped minors at the age of three years (or with prior approval of the Superintendent of Public Instruction, at the age of eighteen months) to special schools or classes established for such pupils.

### Exclusion Because of Age

Education Code Section 10551 reads as follows: "Children under six years of age are excluded from the public schools, except as provided in this code." The exceptions apply to kindergarten and first grade pupils who have reached the ages of four years and nine months or five years and nine months, respectively, on or before September 1 or February 1; children legally admitted by transfer; handicapped children, who may be admitted to special schools or classes at age three, or in some instances at 18 months; and, in school districts having approved early childhood education programs, children three years nine months of age who are admitted to such programs. All other children under six years of age are excluded from the public schools.

No minor who is six years of age or over may be refused admission to a public school by reason of age only.

### Proof of Age for Admission

The requirements for proof of age for admission of a child to kindergarten or the first grade are set forth in Education Code sections 10504 and 10505. (See page 5 of this manual.)

## Admission to Junior High School

According to Education Code Section 5604, "All minors who have completed the work of the sixth grade . . . may be admitted to a junior high school." This code section also specifies that certain other persons may be admitted to a junior high school:

***Admission of Eligible Minors*** [EC48020]

**EC5604. All minors who have completed the work of the sixth grade and such other minors as are, in the judgment of the principal of the junior high school and of the superintendent having immediate jurisdiction thereof, capable of doing the required work, may be admitted to a junior high school.**

### Pupils in a District That Maintains a Junior High School

The Education Code section just cited provides for the admission of pupils to junior high school, whether or not they are residing in an elementary, high school, or unified school district. However, in those instances in which pupils who have completed the sixth grade in an elementary school district attend a junior high school in a high school district, certain financial arrangements must be made to cover the costs

involved. Education Code sections 5605–5608 specify the procedures elementary school districts shall follow in making tuition payments to the high school district:

***Admission of Elementary Pupils and Tuition Payment by Board; Computation*** [EC37062]

EC5605. (a) The governing board of any elementary school district situated within a high school district maintaining a junior high school shall permit pupils who have completed the sixth year of the elementary school to attend the junior high school and shall pay to the high school district for the education of the pupils a tuition charge determined pursuant to this section.

(b) The amount of the tuition charge for the 1973–74 fiscal year shall be computed by the county superintendent of schools as follows:

(1) Divide the tuition paid to the high school district in the 1972–73 fiscal year, exclusive of funds received pursuant to Public Law 81-874, by the estimated average daily attendance of seventh- and eighth-grade pupils in the second principal apportionment of that year attending junior high schools in the high school district.

(2) Divide the taxes raised from the assessed valuation of the elementary district pursuant to Section 20808.5, in the 1972–73 fiscal year, by the estimated average daily attendance of seventh- and eighth-grade pupils in the second principal apportionment of that year attending junior high schools in the high school district.

(3) Add the amounts computed per unit of average daily attendance in paragraphs (1) and (2) and the estimated state apportionment per average daily attendance for seventh- and eighth-grade pupils in the 1972–73 fiscal year.

(4) The increased revenue per unit of average daily attendance as computed in subdivision (f) of Section 20904 added to the amount established in paragraph (3) shall be the tuition limit per unit of seventh- and eighth-grade average daily attendance for the 1973–74 fiscal year attending junior high schools in the high school district.

(c) An elementary district whose seventh- and eighth-grade pupils are entering junior high and for which no tuition limit can be determined pursuant to subdivision (b) shall pay a tuition agreed upon between the high school district and the elementary district, which shall be no less than the revenue limit per unit of average daily attendance of the elementary district for that year.

(d) For the 1974–75 fiscal year and fiscal years thereafter, the tuition limit per unit of average daily attendance as computed pursuant to subdivision (b) or (c) shall be adjusted by the increase in the revenue limit per unit of average daily attendance computed pursuant to subdivision (g) of Section 20905 for the current year.

(e) The tuition limit per unit of seventh- and eighth-grade average daily attendance determined pursuant to this section less the state apportionment transferred pursuant to Section 17411 shall be the maximum amount that the elementary district shall pay to the high school district.

***Additional Tuition Payments for Certain Elementary Pupils*** [EC37063]

EC5605.1 In addition to the tuition limit computed in subdivision (c) of Section 5605, those elementary school districts participating in a junior high school which receive funds pursuant to Public Law 81-874 shall pay an amount equal to 90 percent of the entitlement paid from funds received pursuant to Public Law 81-874 for the pupils in grades 7 and 8 attending junior high schools in the high school district to the high school district as a part of the tuition charge pursuant to Section 5605.

***Procedure for Payment of Tuitions by Participating Elementary School Districts*** [EC37064]

EC5605.2 On or before January 1 of each fiscal year, the governing board of the elementary school district shall draw its warrant in favor of the high school district against the general fund of the elementary school district in the amount of 50 percent of the estimated tuition charge due to the high school district for the attendance of pupils at the junior high school during the current fiscal year, exclusive of state apportionments transferred pursuant to Section 17411. The amount of the warrant shall be credited to the general fund of the high school district.

On or before May 1 of each fiscal year, the governing board of the elementary school district shall draw its warrant in favor of the high school district against the general fund of the elementary district in the amount of 30 percent of the estimated tuition charge due to the high school district for the attendance of pupils at the junior high school during the current fiscal year, exclusive of state apportionments transferred pursuant to Section 17411. The amount of the warrant shall be credited to the general fund of the high school district.

On or before July 15 following the close of the fiscal year, the governing board of the elementary school district shall draw its warrant in favor of the high school district against the general fund of the elementary school district in the amount of the difference between the final tuition as computed by this section and the sum of the first and second installment paid to the high school district. The amount of the warrant shall be credited to the general fund of the high school district. The revenues, although received after the close of the fiscal year, shall be considered revenues of the preceding fiscal year.

***Exceptions to Admission of Elementary Pupils at Junior High School*** [EC37065]

EC5605.3. Notwithstanding Section 5605, the governing board of an elementary school district situated within a high school district maintaining a junior high school is not required to permit its pupils who have completed the sixth year of the elementary school to attend the junior high school maintained by the high school district if the elementary school district has, pursuant to the provisions of this article, withdrawn from the junior high school system maintained by the high school district.

***Failure to Fix Tuition Amount*** [EC37066]

**EC5606. If the tuition is not fixed before the time fixed for the county superintendent of schools to submit the budgets of the district to the board of supervisors, the county superintendent having jurisdiction over the elementary school district shall fix the amount of the tuition and shall incorporate the amount in the budgets of the districts concerned.**

***Failure to Draw Warrants for Tuition*** [EC37067]

**EC5607. If the trustees in any school district fail to draw warrants for tuition due to a high school district, the county superintendent of schools shall draw his warrant therefor.**

***Cessation of Tuition Payments*** [EC37068]

**EC5608. The tuition charge shall cease to be paid after the pupil has satisfactorily completed the seventh and eighth grades in the junior high school.**

## Pupils in a District Not Maintaining a Junior High School

Elementary school pupils who reside in a high school district that does not maintain a junior high school and who have completed the sixth grade may be permitted by their elementary school district governing board to attend any junior high school in any district. Tuition for such students shall be paid by the elementary school district in accordance with Education Code sections 5610 and 5611:

***Permission to Attend in Another District*** [EC37070]

**EC5610. The governing board of any elementary school district not situated in a high school district maintaining a junior high school may permit pupils of their district who have completed the sixth year of the elementary school to attend any junior high school in any district, and shall pay to the district for the education of the pupils by order of the county superintendent of schools, a tuition charge which shall be agreed upon by the governing board of the elementary school district and the governing board of the district maintaining the junior high school.**

***Maximum Amount of Tuition and Cessation of Charge*** [EC37071]

**EC5611. The board of school trustees, under the arrangement described in Section 5610 shall not pay a tuition charge greater than the average net cost per pupil for educating pupils in the junior high schools of the district of attendance, as ascertained by the county superintendent of schools, less the amount of any apportionments withheld from the elementary school district and added to the high school district pursuant to Section 17411 or Section 17411.1, whichever is in effect. The tuition charge shall cease to be paid after the pupil has completed two years of work in the junior high school.**

### Attendance and Apportionment for Junior High Pupils

The attendance of seventh and eighth grade pupils in a junior high school shall be kept separately and credited to the elementary school of residence, but the state apportionment for such attendance goes to the high school district.

***Withholding Portion of Apportionments; Elementary School Districts*** [EC41338]

EC17411. The Superintendent of Public Instruction shall withhold from the apportionment to an elementary school district, as a part of the first principal apportionment and second principal apportionment, the amount allowed the elementary school district for the average daily attendance in grades 7 and 8 in a junior high school by reason of the operation of subdivisions (a) and (b) of Section 17601. The amount withheld shall be determined by multiplying the total amount of basic state aid and state equalization aid computed for the district by the foundation program for units of average daily attendance in grades 7 and 8 and dividing the product by the total foundation program of the district.

The Superintendent of Public Instruction shall add the amount withheld to the apportionment required to be made to the high school district maintaining the junior high school.

## Admission to High School

The California Administrative Code, Title 5, Education, Section 201, and several Education Code provisions govern the admission of individuals to the public high schools in the state:

***Persons Eligible to Attend*** [EC48030]

**EC5655. Any graduate of the elementary schools of this State and any other person who furnishes to the principal of the high school and to the county or to the city superintendent of schools having immediate jurisdiction over the high school, satisfactory evidence of his fitness for high school work, may attend high school in the district in which he resides under such regulations as the high school board may prescribe.**

5CAC201. **Admission to High School.** The school district maintaining a high school shall admit pupils in accordance with the grade organization of the schools maintained and the maturity and achievement of the pupils as follows:

(a) A pupil shall be admitted to the high school shown if he has completed at least the grade indicated.

| *Grade Completed* | *Admitting High School* |
|---|---|
| Grade 6 | Junior high school |
| Grade 8 | Four year high school |
| Grade 9 | Senior high school (having grades 10, 11, and 12) |
| Grade 10 | Senior high school (having grades 11 and 12) |

(b) A pupil may be admitted to a high school who in the judgment of personnel of the district described in Education Code Section 5604 or 5655, as appropriate, is capable of profiting from the instruction offered, regardless of the grade he has completed.

***Admission of Nonresidents of District*** [EC37104; 48031]

**EC5656. Any person who is eligible to attend high school and who does not reside in a high school district or in a unified school district may attend high school in any high school district or unified school district in the county in which he resides or in another county.**

***Residents of Adjoining States*** [EC48050]

**EC10506. The governing board of any school district may, with the approval of the county superintendent of schools, admit to the elementary and high schools of the district pupils living in an adjoining state which is contiguous to the school district. An agreement shall be entered into between the governing board and the governing board or authority of the school district in which the pupils reside providing for the payment by the latter of an amount sufficient to reimburse the district of attendance for the total cost of educating the pupil, including the total of the amounts expended per pupil for the current expenses of education, the use of buildings and equipment, the repayment of local bonds and interest payments and state building loan funds, capital outlay, and transportation to and from school. The amount of the tuition for the current expenses of education per unit of average daily attendance of pupils from the adjoining state shall equal the average current expenditure, exclusive of all transportation expenditures, per unit of average daily attendance in the district of attendance. The per pupil cost attributable to capital outlay shall be on the basis of an average expenditure for the preceding five years. The cost of transportation shall not exceed ten dollars ($10) per month. Tuition payments shall be made during the school year with final payment at the end of the school year after all costs have been determined. If the amount paid is more or less than the total cost of education and transportation, adjustment shall be made for the following semester or school year. The attendance of the pupils shall not be included in computing the average daily attendance of the class or school for the purpose of obtaining apportionment of state funds. In lieu of entering an agreement with the governing board or authority of the school district in which the pupil from the adjoining state resides, the governing board of the school district in this State may enter an agreement with the parent or guardian of the pupil on the same terms as is provided in this section.**

***Residents of Adjoining Foreign Country*** [EC48051; 76004]

**EC10507. Any person, otherwise eligible for admission to any class or school of a school district of this state, whose parents are or are not citizens of the United States, whose actual and legal residence is in a foreign country adjacent to this state, and who regularly returns within a 24-hour period to said foreign country may be admitted to the class or school of the district by the governing board of the district.**

***Permissive Vocational Education Classes*** [EC48810]

**EC5656.5. The principal of any high school may, with the approval of the governing board of the school district, permit 11th and 12th grade students to attend vocational education classes maintained by the community college district in which the high school is located, in accordance with Section 25513.**

*Tuition* [EC37105]

EC5657. No charge for tuition shall be made in any high school district of this State, except as provided in Sections 5651 to 5664, inclusive.

*Nonresident's Tuition Certification* [EC37106]

EC5658. Whenever a person residing in an elementary school district but not in any high school district or in any unified school district attends a high school in any district within the State, the governing board of the district maintaining the high school shall on or before July 15th of the succeeding school year certify, separately, to the county superintendent of schools having jurisdiction over the elementary school district the amount chargeable to the elementary school district and the amount chargeable to the county school service fund under the jurisdiction of the county superintendent of schools, as tuition for the education of the person during the preceding school year.

*Tuition* [EC37107]

EC5659. The tuition for the education of any person described in Section 5658 shall be computed as follows:

From the total current expense of education, exclusive of the expense of transportation, of pupils in grades 9 through 12 of the high school district or unified school district for the preceding school year subtract state and federal apportionments received by the district except federal apportionments under the act of Congress entitled, "An act to provide financial assistance for local educational agencies in areas affected by federal activities, and for other purposes," approved September 30, 1950 (Public Law 874—81st Congress), or under any similar provision of any other act of Congress received on account of the attendance of pupils residing in the district; and divide the remainder by the total number of units of average daily attendance in grades 9 through 12 of the high school district or unified school district during the preceding school year.

The total tuition chargeable to any elementary school district shall be computed as follows:

(a) Multiply the resulting quotient by the units of average daily attendance during the preceding school year of pupils in grades 9 through 12 residing in the elementary school district, and not residing on a military reservation of the United States, and attending the high schools of the high school district or unified school district; subtract the amount of federal apportionments under the act of Congress entitled, "An act to provide financial assistance for local educational agencies in areas affected by federal activities and for other purposes," approved September 30, 1950 (Public Law 874—81st Congress), or under any similar provision of any other act of Congress received on account of attendance of pupils residing in the elementary school districts, and not residing on a military reservation of the United States, and attending the high schools of the high school district or unified school district; add two hundred dollars ($200) for each of such units of average daily attendance for the use of buildings and equipment; and add the actual expense of transportation provided by the high school district to such pupils.

(b) Add to the total arrived at under subdivision (a) the total current expense less federal and state apportionments to the high school district or unified school district of education of pupils of the elementary school district as described in Section 5658 in any classes whatever other than classes in grades 9 through 12 of the high school district or unified school district.

The total amount chargeable against the county school service fund of any county shall be determined by: (a) multiplying the quotient utilized under subdivision (a), above, by the units of average daily attendance during the preceding school year of pupils in grades 9 through 12 residing in the elementary school district, and on a military reservation of the United States, and attending the high schools of the high school district or unified school district; and (b) adding thereto the total current expense less federal and state apportionments to the high school district or unified school district of education of pupils of the elementary school district as described in Section 5658 and residing on a military reservation of the United States in any classes whatever other than classes in grades 9 through 12 of the high school district or unified school district.

For the purposes of this section, the Superintendent of Public Instruction shall define the term "total current expense of education" and the term "actual expense of transportation."

*Transmittal of Certification Copy* [EC37108]

EC5660. The county superintendent of schools shall transmit a copy of the certificate certifying the amount chargeable against any elementary school district under his jurisdiction not later than the succeeding July 20th to the board of supervisors of each county within which any part of the elementary school district is located.

*Tuition Secured by Tax Levy* [EC37109]

EC5661. If the elementary school district is located entirely within one county, the board of supervisors shall at the time and in the manner prescribed by Sections 20701 to 20704, inclusive, Sections 20751 to 20804, inclusive, and Sections 20901 and 21001 of this code levy a tax on all taxable property in the elementary school district sufficient to raise the amount set forth in the certificate. If the elementary school district is located in more than one county, the tax shall be determined, levied, and collected at the time and in the manner prescribed by Sections 20701 to 20704, inclusive, Sections 20751 to 20857, inclusive, and Sections 20901 and 21001 of this code. The maximum rate of school district tax which may be levied pursuant to this section for any high school district or unified school district in any school year on each one hundred dollars ($100) of assessed valuation within the elementary school district shall be seventy-five cents ($0.75) if the average daily attendance of high school pupils living within the elementary school district and attending a high school in such high school district or unified school district during the preceding school year did not exceed 15.

*Crediting of Tax Receipts* [EC37110]

EC5662. The receipts of the tax shall be credited by the county treasurer of each county to the high school district or unified school district, except that if the county superintendent of schools of another county has jurisdiction over the high school district or unified school district, the county auditor of each county in which any portion of the tax is collected shall determine the amount of the receipts of the tax and shall direct the county treasurer of his county to transmit the amount to the county treasurer of the county of which the superintendent of schools has jurisdiction, who shall credit the amount to the high school district or unified school district. The county treasurer of any county crediting the receipts of the tax to a high school district or unified school district shall notify the county superintendent of schools and county auditor of the county and the governing board of the high school district or unified school district of the fact, naming the amount credited.

*Payment of Tuition to High School Districts* [EC37111]

EC5663. The county superintendent of schools shall pay to each high school district and unified school district from the unapportioned county high school fund under his jurisdiction, the amount chargeable to the fund as shown by the certificate of the governing board of the high school district or unified school district.

*Tuition Charge for Use of Facilities; Assumption of Liability for Outstanding Bonded Indebtedness* [EC37112]

EC5664. This section applies to any elementary school district

wholly included in a unified school district or a high school district, including a union high school district, joint union high school district, or county high school district, and which inclusion is effective for all purposes on or after July 1, 1956, and which elementary school district is required, pursuant to this article (commencing at Section 5651), to pay, during the first fiscal year commencing on the date inclusion is effective for all purposes, to the unified district or high school district in which it is included two hundred dollars ($200) for each unit of average daily attendance for use of buildings and equipment as part of the tuition charge on account of persons residing in the elementary district who, during the preceding fiscal year, attended high school in the high school district or unified district in which such elementary district is included.

Notwithstanding other provisions of law, such elementary district shall not be liable for the payment of such two hundred dollars ($200) a unit of average daily attendance if, prior to the date the inclusion is effective for all purposes, the elementary district assumes liability for the outstanding bonded indebtedness of the high school district, if it is included in a high school district, or for the outstanding bonded indebtedness of the unified district for high school and community college purposes, if the elementary district is included in a unified district.

**For the purposes of this section, the county superintendent of schools shall determine, pursuant to Section 21802 the amount of outstanding indebtedness of a unified school district issued for high school and community college purposes.**

**Liability for such outstanding bonded indebtedness may be assumed at any election held for such purpose in accordance with law except that, if the elementary district is included in a unified school district, at the request of the governing board of such elementary district, the ballot shall contain, in addition to other required provisions, the words "For assumption of liability of outstanding bonded indebtedness of _____ District issued for high school purposes and community college purposes [if there is no such indebtedness for community college purposes the reference to community college purposes shall be deleted]—Yes" and "For assumption of liability for outstanding bonded indebtedness of _____ District, issued for high school purposes and community college purposes [if there is no such indebtedness for community college purposes, the reference to community college purposes shall be deleted]—No"**

### Admission from Other High Schools

Pupils may also be admitted to high schools by transfer. The governing board of a California school district from which any pupil transfers shall send a statement of the pupil's record to the receiving institution.

**5CAC440. High School Transcript of Record. Subject to the provisions of Education Code Section 1037, the governing board maintaining a high school shall supply a statement of a pupil's record in the school as follows:**

**(a) The statement shall be either of the following:**

**(1) A transcript of record in the form prescribed and furnished by the State Department of Education.**

**(2) A clearly legible photostatic copy of the pupil's permanent record or cumulative record meeting the requirements of the State Department of Education as to size, form, and content.**

**(b) The statement shall be supplied in any of the following ways:**

**(1) Sent to another high school to which the pupil is transferring.**

**(2) Given, upon his request, to a pupil who is graduating.**

**(3) Sent to an institution of higher learning in which the pupil seeks to enroll. In this case, the statement shall include a recommendation as to the pupil.**

**5CAC441. Withholding Prohibited. The transcript shall not be withheld from the requesting pupil or institution because of any charges or fees owed by the pupil or his parent other than the fees authorized by Education Code Section 1037.**

### Pupils Transferring from Other States

Pupils transferring from other states must present evidence of grade placement as required by the receiving high school.

### High School Postgraduate Courses

Reference is sometimes made to postgraduate courses in high schools, but no legal basis exists for establishment of such courses. California Attorney General's Opinion 6904 (November 20, 1929) states in part: "I do not find any authority in the law for postgraduate work in the regular four-year high school. . . . I do not believe that the law contemplates the admission, as a matter of right, of graduate students to take special subjects in a regular four-year high school. The trustees might, in the exercise of their discretion, and if the school facilities permit, allow such postgraduate work but such irregular attendance would not result in an increased allotment of school money." Therefore, under no circumstances may such attendance be credited for apportionment purposes.

Attendance in regular undergraduate high school courses by high school graduates may be credited for apportionment purposes.

## Admission to Classes for Adults

Classes for adults are established primarily for adults and are mainly attended by adults. Minors may be admitted to classes for adults that are approved by the State Department of Education, and a.d.a. in such classes may be counted in addition to the a.d.a. accrued in a regular day school.

Classes in an adult education program that are attended primarily by high school students are *extended day classes*, regardless of the time of day the classes are offered. If the students enrolled and in attendance in such classes have already been in the regular day school for the minimum day, they do not generate additional a.d.a. in the extended day classes. (See Chapter V of this manual for information on attendance accounting in classes for adults and extended day classes.)

# Chapter III Requirements and Methods for Maintaining Attendance and Enrollment Records and Reports

Information derived through the attendance accounting process affects the computation of almost all the money schools and school districts receive. This is true whether the money comes from local property taxes, state apportionments, or federal projects. Attendance reports are also used for educational planning. It is, therefore, most essential that attendance accounting procedures, systems, and forms provide for the accurate and timely reporting of attendance and enrollment data.

Accuracy, neatness, and care in recording attendance data are of the greatest importance. All entries must be in ink and be legible. When it is necessary to make corrections to an attendance record, they must be clearly indicated and made in a manner that will not be confusing or misunderstood.

The attendance and enrollment records must be available at any time for inspection by any authorized representative of the State Department of Education or the State Department of Finance or as part of the annual audit (see Education Code Section 10751[1]). Falsification of these records is punishable under the provisions of sections 6200 and 6201 of the California Government Code:

**Theft, Destruction, Falsification, or Removal by Officer Custodian**

CGC 6200. Every officer having the custody of any record, map, or book, or of any paper or proceeding of any court, filed or deposited in any public office, or placed in his hands for any purpose, who is guilty of stealing, wilfully destroying, mutilating, defacing, altering or falsifying, removing or secreting the whole or any part of such record, map, book, paper, or proceeding, or who permits any other person to do so, is punishable by imprisonment in the State prison not less than one nor more than 14 years.

**Theft, Destruction, Falsification, or Removal by Person Other Than Officer Custodian**

CGC 6201. Every person not an officer referred to in Section 6200, who is guilty of any of the acts specified in that section, is punishable by imprisonment in the State prison not exceeding five years, or in a county jail not exceeding one year, or by a fine not exceeding one hundred dollars ($100), or by both such fine and imprisonment.

The basic requirements for attendance accounting are in California Administrative Code, Title 5, Education, sections 400 through 404:

5CAC400. **Attendance Records.** Records of attendance of every pupil in the public schools shall be kept for the following purposes:

(a) For apportionment of State funds.

(b) To insure general compliance with the compulsory education law, and performance by a pupil of his duty to attend school regularly as provided in Section 300.

5CAC401. **Forms and Procedures for Recording Attendance.** (a) Elementary school attendance shall be kept in a state school register, as required by Section 13558, except when a central file is maintained as authorized by Education Code Section 13558.

(b) High school attendance (including junior high school) shall be kept on forms approved by the State Department of Education.

(c) In all high schools, except those listed in (d) of this section, each teacher shall be required to submit to the principal, at least once each school day, a report of attendance for each period of the day in which he conducts classes, listing the names of all pupils absent in any period.

(d) In all classes for adults, continuation schools and classes, and regional occupational centers and programs, attendance shall be reported to the principal at least once each week.

5CAC402. **Attendance That May Be Counted.** For apportionment purposes, attendance of a pupil upon schools or classes maintained by a school district or a county superintendent may be counted when the pupil is present during the time lawfully prescribed for the school or class in which he is enrolled and when such attendance meets the requirements prescribed by Education Code Section 11251. In addition, if the pupil is enrolled in summer school his attendance may be counted only if the summer school meets the requirements of Education Code Section 554.

5CAC403. **Pupils Enrolled for the Minimum School Day.** Subject to the provisions of Sections 402, 404, and 405, for apportionment purposes a pupil enrolled in a regular day class or a special day class for the minimum school day applicable to him (except pupils whose attendance is recorded by clock hour) is deemed present for the entire school day, unless he is absent for the entire school day prescribed by the local governing board under Education Code Section 10952.

5CAC404. **Pupils Whose Attendance Is Reported by Clock Hour.** Subject to the provisions of Sections 402 and 405, a pupil enrolled in a class described in Section 406 is deemed present, and he shall not be counted or recorded as absent for apportionment purposes, unless he is absent the entire clock hour.

## Positive and Negative Attendance Accounting

Positive attendance accounting is defined as the recording, with the use of proper symbols, of actual attendance (number of hours, minutes, or percent of the minimum day). Sections 405 through 408 of the California Administrative Code, Title 5, Education, identify programs and conditions in which positive attendance accounting techniques are necessary:

5CAC405. **Actual Attendance Counted.** For apportionment purposes, in a situation described in (a), (b), or (c) of this section, only a pupil's actual attendance upon regular day school or class shall be counted. Such attendance shall be recorded in clock hours.

**(a) Admission Charge.** For some period of time during his regularly programmed school day he attends or engages in a school sponsored function or activity for which he pays a fee, an admission, or participation charge, except for fees authorized for adult education (Education Code Sections 5757 and 5758).

**(b) Work Experience Class.** He is enrolled in a work experience class. In this case, his attendance is the sum of the hours of his actual attendance upon the regular school or class, plus the hours of attendance in the work experience class which meet the requirements of Section 11251 of the Education Code.

**(c) Excused from Regular Schools or Class.** Whenever a pupil

[1]The new (reorganized) Education Code is now in effect. Throughout this publication the new section number for each of the Education Code sections presented is given in brackets at the beginning of the section. For a complete listing of the old Education Code section numbers cited in this publication, together with the corresponding new section numbers, the reader should refer to Appendix A.

**is excused from a school or class to attend or participate in a function or activity which does not meet the requirements of Section 11251 of the Education Code.**

**5CAC406. Attendance Reported by Clock Hour.** Attendance shall be reported in clock hours for the following:

**(a) Pupils enrolled for less than the minimum school day.**

**(b) Pupils in classes for adults wherever held pursuant to the Education Code.**

**(c) Pupils enrolled in work experience programs.**

**(d) Pupils in continuation education schools or classes.**

**(e) Pupils in regional occupational centers or regional occupational programs.**

**(f) Pupils in summer schools.**

**(g) Physically handicapped pupils.**

(1) Adults and minors receiving individual instruction in home or hospital.

**(2) Pupils sixteen years of age or over who are enrolled in an occupational training program, i.e., sheltered workshop, pursuant to Education Code Section 11201.**

**(h) Educationally handicapped minors receiving individual instruction in home or hospital or children's institution pursuant to Education Code Section 11227.**

**5CAC407. Attendance Recorded in Minutes.** Attendance shall be recorded in actual number of minutes for the following:

**(a) Remedial Classes (Including Remedial Physical Education), Physically Handicapped.** (1) When one pupil only is in a remedial class and receives instruction for less than one clock hour.

**(2) When pupils receive instruction in a remedial class** of 1 to 4, the minutes of attendance are recorded for the group **(not for the individual pupils in the group).**

**(3) When a pupil receives instruction in a remedial class of 5 or more, each pupil shall be credited with the number of minutes he attends.**

**(b) Learning Disability Groups, Educationally Handicapped Minors.** (1) When a pupil receives individual instruction for less than one clock hour.

(2) When pupils receive instruction in a group of 1 to 4, the minutes of attendance are recorded for the group (not for the individual pupils in the group).

**(3) When pupils receive instruction in a group of 5 or more, each pupil shall be credited with the number of minutes he attends.**

**5CAC408. Computation of Attendance for Classes Recorded in Minutes. (a) Remedial Classes, Physically Handicapped (Including Remedial Physical Education).** In remedial classes for physically handicapped minors, the attendance shall be computed as follows:

(1) When 1 to 4 physically handicapped pupils are instructed at the same time by the same teacher in a remedial class attendance as recorded pursuant to Section 407(a)(2) shall be computed by using the divisor 60.

(2) In a remedial class of 5 or more, the total minutes **of attendance for each pupil shall be divided by 180, 200, 230, or 240, depending on the grade level of the pupil.**

**(b) Learning Disability Groups, Educationally Handicapped Minors.** (1) In individual instruction, the total minutes of attendance shall be divided by 60.

(2) In groups of 2 to 4, instructed at the same time by the same teacher pursuant to Section 407(b)(2), the total minutes of attendance shall be divided by 60.

**(3) In groups of 5 or more, the total minutes of attendance shall be divided by 180, 200, or 240, depending on the grade level of the pupil.**

Negative attendance accounting is defined as the recording of only the exceptions to actual attendance. On the whole, this is the most efficient method for keeping attendance for regular classes. Only absences are recorded, with symbols and percents (usually 100 percent) being used to indicate the kind and degree of the absence, particularly as it affects apportionment attendance. Whole-day absences are recorded in negative attendance accounting with the symbol 100. (See Chapter IV for a discussion of absences allowed for apportionment attendance.)

## State School Register

The State School Register (Department of Education Form J-32) is a legal document furnished by the Superintendent of Public Instruction for the recording of daily attendance and absence and other information required for the proper control and operation of the public schools of the state. The State School Register has proved to be one of the most accurate and efficient means for keeping attendance records, particularly at the elementary school level and for special education classes. An especially valuable feature of the register is its annually updated compilation of attendance regulations, instructions for recording and reporting attendance, and pertinent sections of the Education Code and the California Administrative Code, Title 5, Education.

Pupil attendance must be accounted for in the State School Register unless the school district has obtained approval from the State Department of Education to maintain central attendance accounting records or is contracting for attendance accounting through a regional data processing center.

For those districts having approval to use another attendance system, the State School Register should still be a required reference document on file at every school. Familiarity with the contents of the register by the principal, staff, and interested public can prevent a great deal of misunderstanding about the operation of a school and the keeping of adequate attendance records, regardless of the method or system of attendance accounting used.

### Maintaining Separate Registers

Instructions in the State School Register require separate registers to be maintained for pupils in the following circumstances:

**1. Pupils in Kindergarten.** A separate register shall be used for each kindergarten class.

**2. Physically Handicapped Pupils Given Individual Instruction.** A separate register shall be used for physically handicapped pupils given individual instruction *at home or in an institution,* and for those pupils with speech disorders who have been admitted to school for individual instruction at the age of three years. It shall be so labeled on the cover. No pupil shall be given individual instruction for more than three hours in any one day or credited with more days of attendance during any fiscal year than the number of legal calendar days schools of the district may be maintained during such fiscal year.

Credit for absence due to illness or quarantine of a physically handicapped pupil given individual instruction is not authorized by the provisions of Education Code Section 10954.

**3. Physically Handicapped Pupils in Special Day Classes.** A separate register, or other attendance forms clearly labeled "Special Day Class for PH Pupils," shall be used for physically handicapped pupils who attend special day classes.

**4. Physically Handicapped Pupils in Remedial Classes.** A separate register shall be used for remedial classes for physically handicapped pupils, and it shall be so labeled on the cover. The register used for these classes shall be kept in accordance with sections 407 and 408 of the California Administrative Code, Title 5, Education, and Education Code Section 11201. The State School Register: Remedial Education (Department of Education Form J-32R) may be used for this purpose.

The daily record shall be in terms of actual minutes of enrollment. When one to four such pupils are instructed at the same time by the same teacher, sixty (60) minutes of instruction constitute one unit of attendance and is used as the divisor to compute the days of attendance regardless of grade level. **The names should be entered in the register; a bracket should be placed around the group; and the attendance should be assigned to one member of the group.**

Attendance for five or more pupils in a group or remedial class should be reported in the previous manner of assigning minutes to each student and then using the appropriate grade level divisor (180; 200 in grades one, two, and three when in double session; 230; or 240) to compute the days of attendance.

**5. Mentally Retarded Pupils in Special Training Classes.** A separate register shall be used for mentally retarded minors in each special training class, and it shall be so labeled on the cover.

**6. Educationally Handicapped Pupils.** Attendance for apportionment purposes of a pupil enrolled in a *special class* described in Education Code Section 6751(a) shall be on a daily basis according to instructions in this register. The minimum school day for apportionment attendance is 180, 200, or 240 minutes, depending on the class level (Education Code Section 11008).

Attendance of a pupil enrolled in a *learning disability group* described in Education Code Section 6751 (b) shall be reported in accordance with the instructions regarding physically handicapped pupils in remedial classes. (See instruction number 4; use a grade level divisor of 180, 200, or 240.)

Attendance of a pupil receiving *individual instruction* pursuant to Section 6751(d) shall be credited in accordance with Education Code Section 11227.

**7. Students in Special Day and Evening Classes and Summer Schools.** Special day and evening classes and summer schools of the elementary schools shall be open for the admission of such minors and adults as in the judgment of the governing board of the school district maintaining the classes may profit from the instruction offered (Education Code sections 5723-25). The register used for these classes shall be clearly labeled "Special Day and Evening Classes" or "Summer School Classes" or "Intersession."

In most situations the positive method of accounting will be desired because most pupils will be enrolled for less than the minimum day. (See Administrative Code, Title 5, Education, Section 406.)

**8. Pupils in Grades Seven and Eight of Junior High Schools.** If this register is used in junior high schools, attendance of pupils in grades seven and eight shall be kept separately for each elementary school district of residence.

Persons charged with keeping the State School Register should consult the latest revision of the register for any change in the instructions.

### Keeping the Register

A question often asked about the State School Register is whether it may be removed from the school building. No law or State Board of Education regulation forbids removal of the register from a school building, but many school district governing boards do not permit removal of the registers. This control is recommended to prevent loss of the registers and the audit information and permanent record material the registers contain.

Additional register-keeping requirements are described in the paragraphs that follow.

In some elementary schools, provision is made for teachers to teach classes of regular pupils in such subjects as music and art. In such cases, the regular teacher who first meets a class each morning should keep the register.

Regular teachers who first meet classes each morning are often referred to as home-room teachers. In such cases every pupil is assigned to a home room, and each home-room teacher keeps a register containing the names of only those pupils assigned to the teacher's room.

If a class is assigned to a different register-keeping teacher during a second semester, the school register should follow the class, and the fact that a different teacher is responsible for the class record should be noted in the register. At the close of each school month, each teacher who has kept such a register shall sign in the space provided on each register page attesting to that portion of the year for which each teacher has been responsible. In the event a teacher is ill or is unavailable to fulfill the attendance-keeping responsibilities, the principal assigned to the school may assume these duties for as long as necessary.

Individual pupils who may be assigned to new classes in the same school during any semester or at the beginning of a second semester are accounted for in the school register as pupils transferred from within the district.

### Exempting Teachers from Keeping the Register

Education Code Section 13558 exempts certain teachers from keeping a State School Register:

***School Register*** [EC44809]

**EC13558. (a) A state school register shall be kept by every teacher in the public elementary schools, except a teacher in:**

**(1) A school in which the state school register of each teacher is kept on behalf of the teacher in a central office by an employee of the school district.**

**(2) A school in which a central file of individual records of pupil enrollment, absence, and attendance is maintained on forms containing at least the minimum items of information prescribed by the State Department of Education, and whose principal submits periodic reports of pupil personnel data to the city or district superintendent of schools, or, if no super-**

intendent is employed in the district, to the county superintendent of schools on forms approved by the State Department of Education.

(b) There shall be recorded in each state school register the absence and attendance of each pupil enrolled in the classes taught by the teacher keeping the register or on whose behalf the register is kept and any additional information required by the State Department of Education.

This provision is not to be confused with the exemption from filing elementary teacher's annual reports, as provided for in Education Code Section 13562:

*Annual Report of Teacher in Public Elementary School* [EC44816]

EC13562. Except in districts exempted by the State Department of Education and in which regular periodic reports of pupil and employee personnel data are submitted by the principal of each school to the city or district superintendent of schools, or, if no superintendent is employed in the district, to the county superintendent of schools on forms approved by the State Department of Education, every teacher in the public elementary schools shall at the close of school during each school year make an annual report to the prinicipal of the school in which he is employed; or, in the case of one-teacher schools, to the city or district superintendent of schools, or, if no superintendent is employed, to the county superintendent of schools on forms furnished by the Superintendent of Public Instruction.

Any teacher who is teaching in any school at the close of school shall, in his annual report, include all statistics for the entire school year.

Where one teacher is in charge of a class and keeps the records thereof, assistant teachers or other teachers of the class or any of the pupils thereof who are required to keep no records shall not be required to render reports.

The city, district, or county superintendent of schools shall in no case draw a requisition for the salary of any teacher for the last month of a school term, until the report has been filed by him and approved.

## Approval of Other Attendance Systems

The following procedure for obtaining approval to use alternative systems of attendance accounting applies to summer schools and special education classes as well as to regular classes:

1. All attendance and pupil-accounting records shall be submitted to the State Department of Education for review so that the Department may determine whether the forms contain the necessary minimum items of information. Such minimum items are all the items of attendance information contained in the State School Register.
2. The regular periodic report form of student data, as submitted by the principal of each school to the city, district, or county superintendent of schools, shall be submitted to the State Department of Education for approval.
3. A letter of transmittal shall accompany all submitted forms. The letter shall explain the manner in which the forms will be used.
4. When a school district contracts with a regional educational data processing center for the purposes of attendance accounting, the school district should submit to the State Department of Education a letter requesting approval to use the data processing center. The school district may keep attendance records by using State School Registers, previously established central attendance systems, or the Department-approved forms and procedures of the regional educational data processing center.
5. A regional educational data processing center should submit to the State Department of Education the forms and procedures the center intends to use for attendance accounting purposes. Such centers should provide instructions to contracting school districts to ensure accurate reporting of attendance to the center.

## Central Attendance Accounting

School districts employing a district superintendent may use central attendance records in place of the State School Register. However, elementary, high school, and unified school districts electing to do so must have all central attendance accounting forms and procedures approved by the State Department of Education. Annual approval for central attendance accounting is no longer required by the State Department of Education (Department of Education Memorandum to County Superintendents of Schools, February 20, 1961). However, major changes in forms and procedures must be approved by the Department.

Using a central attendance accounting system is more practical in most instances than using the State School Register for recording attendance of pupils who move from class to class each day. The central attendance accounting system may also involve data processing equipment and forms when these are available, feasible, and economical.

## Maintenance of a General Record

Space is provided in the State School Register for entering information concerning each pupil enrolled. If the same information is recorded on other permanent district records, completion of these pages in the State School Register is optional.

California Administrative Code, Title 5, Education, sections 430–450, establish general requirements for enrollment and scholarship records. Five sections are presented here:

5CAC430. Definition. (a) "Pupil" means a person who is or was enrolled in a school.

(b) "Adult Pupil" means a person who is or was enrolled in school and who is at least 18 years of age.

(c) "Eligible Pupil" means a person 16 years or older or who has completed Grade 10.

(d) "Pupil Record" means information relative to an individual pupil gathered within or without the school system and maintained within the school system, regardless of the physical form in which it is maintained. Essential in this definition is the idea that any information which is maintained for the purpose of second party review is considered a pupil record.

(1) "Mandatory Permanent Pupil Records" are those records which are maintained in perpetuity and which schools have been directed to compile by California statute, regulation, or authorized administrative directive.

(2) "Mandatory Interim Pupil Records" are those records which the schools are directed to compile and maintain for stipulated periods of time and are then destroyed as per California statute, regulation, or authorized administrative directive.

(3) "Permitted Pupil Records" are those records having clear importance only to the current educational process of the student.

(e) "District" means a local school district or county or state operated special school or private or out-of-state school for which California tax revenues pay all or part of the tuition.

5CAC431. Responsibilities of Local Governing Boards. (a) Local governing boards shall designate a certificated employee as custodian of records. Such employee shall be charged with districtwide responsibility for implementing board policies relating to pupil records.

(b) The principal of each school or a certificated designee shall be responsible for the implementation of board and district policies relating to the pupil records maintained in that school.

(c) Each district shall establish written policies and procedures for pupil records which implement Education Code Section 10931, and Title 5 regulations relating to pupil records. Such procedures and policies shall:

(1) Guarantee access to authorized persons within 5 days following the date of request;

(2) Assure security of the records; and

(3) Enumerate and describe the pupil records collected and maintained by the district.

(d) All anecdotal information and assessment reports maintained as a pupil record shall be dated and signed by the individual who originated the data.

(e) The district shall notify parents in writing at least annually of their rights in regard to pupil records as per Education Code Section 10934.

(f) When a parent's dominant language is not English, the district shall make an effort to:

(1) Provide interpretation of the pupil record in the dominant language of the parent, or

(2) Assist the parent(s) in securing an interpreter.

(g) Neither the pupil record, nor any part thereof, shall be withheld from the parent or eligible pupil requesting access.

5CAC432. Varieties of Pupil Records. (a) The principal of each school shall keep on file a record of enrollment and scholarship for each pupil currently enrolled in said school.

(b) Local school districts shall not compile any other pupil records except mandatory or permitted records as herein defined:

(1) "Mandatory Permanent Pupil Records" are those records which the schools have been directed to compile by California statute authorization or authorized administrative directive. Each school district shall maintain indefinitely all mandatory permanent pupil records or an exact copy thereof for every pupil who was enrolled in a school program within said district. The mandatory permanent pupil record or a copy thereof shall be forwarded by the sending district upon request of the public or private school in which the student has enrolled or intends to enroll. Such records shall include the following:

(A) Legal name of pupil.
(B) Date of birth.
(C) Method of verification of birth date.
(D) Sex of pupil.
(E) Place of birth.
(F) Name and address of parent of minor pupil.

1. Address of minor pupil if different than the above.
2. An annual verification of the name and address of the parent and the residence of the pupil.

(G) Entering and leaving date of each school year and for any summer session or other extra session.

(H) Subjects taken during each year, half-year, summer session, or quarter.

(I) If marks or credit are given, the mark or number of credits toward graduation allows for work taken.

(J) Verification of or exemption from required immunizations.

(K) Date of high school graduation or equivalent.

(2) "Mandatory Interim Pupil Records" are those records which schools are required to compile and maintain for stipulated periods of time and are then destroyed as per California statute or regulation. Such records include:

(A) A log or record identifying those persons (except authorized school personnel) or organizations requesting or receiving information from the record. The log or record shall be accessible only to the legal parent or guardian or the eligible pupil, or a dependent adult pupil, or an adult pupil, or the custodian of records.

(B) Health information, including Child Health Developmental Disabilities Prevention Program verification or waiver.

(C) Participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge.

(D) Language training records.

(E) Progress slips and/or notices as required by Education Code Sections 10937 and 10938.

(F) Parental restrictions regarding access to directory information or related stipulations.

(G) Parent or adult pupil rejoinders to challenged records and to disciplinary action.

(H) Parental authorizations or prohibitions of pupil participation in specific programs.

(I) Results of standardized tests administered within the preceding three years.

(3) "Permitted Records" are those pupil records which districts may maintain for appropriate educational purposes. Such records may include:

(A) Objective counselor and/or teacher ratings.
(B) Standardized test results older than three years.
(C) Routine discipline data.
(D) Verified reports of relevant behavioral patterns.
(E) All disciplinary notices.
(F) Attendance records not covered in the Administrative Code Section 400.

5CAC433. Maintenance and Security of Pupil Records. (a) The custodian of records shall be responsible for the security of pupil records maintained by the district and shall devise procedures for assuring that access to such records is limited to authorized persons.

(b) Records for each individual pupil shall be maintained in a central file at the school attended by the pupil, or when records are maintained in different locations a notation in the central file as to where such other records may be found is required.

5CAC437. Retention and Destruction of Pupil Records. (a) No additions except routine updating shall be made to the record after high school graduation or permanent departure without the prior consent of the parent or adult pupil.

(b) Mandatory permanent pupil records shall be preserved in perpetuity by all California schools according to Chapter 2, Division 16, Part I, of this title.

(c) Unless forwarded to another district, mandatory interim pupil records may be adjudged to be disposable when the student leaves the district or when their usefulness ceases. Destruction shall be in accordance with Section 16027 of this title during the third school year following such classification.

(d) Permitted pupil records may be destroyed when their usefulness ceases. They may be destroyed after six months following the pupil's completion of or withdrawal from the educational program.

The method of destruction shall assure that records are not available to possible public inspection in the process of destruction.

Education Code sections 10939, 10940, and 10944 also establish rules concerning access to and transfer of records:

**Transfer of Permanent Record** [EC49068]

EC10939. Whenever a pupil transfers from one school district to another or to a private school, or transfers from a private school to a school district within the state, the pupil's permanent record or a copy thereof shall be transferred by the former district or private school upon a request from the district or private school where the pupil intends to enroll. Any school district requesting such a transfer of a record shall notify the parent of his right to receive a copy of the record and a right to a hearing to challenge the content of the record. The State Board of Education is hereby authorized to adopt rules and regulations concerning the transfer of records.

**Absolute Right to Access** [EC49069]

EC10940. Parents of currently enrolled or former pupils have an absolute right to access to any and all pupil records related to their children which are maintained by school districts or private schools. The editing or withholding of any such records, except as provided for in this chapter, is prohibited.

Each school district shall adopt procedures for the granting of requests by parents to inspect and review records during regular school hours, provided that access shall be granted no later than five days following the date of the request. Procedures shall include the notification to the parent of the location of all official pupil records if not centrally located and the providing of qualified certificated personnel to interpret records where appropriate.

**Release of Directory Information** [EC49073]

EC10944. School districts shall adopt a policy identifying those categories of directory information as defined in subdivision (c) of Section 10932 which may be released. The district shall determine which officials or organizations may receive directory information, provided, however, that no information may be released to a private profitmaking entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided to a private school or college operating under the provisions of Division 21; provided, however, that no such private school or college shall use such information for other than purposes directly related to the academic or professional goals of the institution, and provided further that any violation of this provision is a misdemeaner, punishable by a fine of not to exceed two thousand five hundred dollars ($2,500), and, in addition, the privilege of the school or college to receive such information shall be suspended for a period of two years from the time of discovery of the misuse of such information. Any district may, in its discretion, limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of pupils.

Directory information may be released according to local policy as to any pupil or former pupil, provided that notice is given at least on an annual basis of the categories of information which the school plans to release and of the recipients. No directory information shall be released regarding any pupil when a parent has notified the school district that such information shall not be released.

## Reports Required for Attendance and Enrollment Purposes

A variety of reports are required to accomplish attendance and enrollment accounting. These reports are described in the sections that follow.

### Daily, Weekly, and Monthly Reports

*Daily requirements.* Every teacher shall record in the State School Register the daily attendance and absence of each pupil enrolled in the classes taught by the teacher. If exempted from keeping the State School Register, each teacher shall submit at least once each school day to the principal's office an attendance report listing the names of all pupils absent each period during the day, except as noted below under "weekly requirements."

*Weekly requirements.* In all classes for adults, continuation schools and classes, and regional occupational centers and programs, attendance shall be reported to the principal at least once each week.

*Monthly teacher register system reports.* At the close of each school month, and after no more than one additional week for verification of absence due to illness or other reasons, the teacher or authorized employee shall enter monthly attendance data. In those districts where teachers are not exempt from preparing the teacher's annual report, the monthly totals are to be entered in the summary at the back of the State School Register.

*Monthly principal's central attendance system reports.* Not later than one week following the last day of each school month the principal should total, from the individual pupil attendance cards, the days not enrolled, days of apportionment attendance, which include absences due to illness for each pupil, and absences for other causes. The sum of these items for all pupils must equal the number of days school was in session for any given school month times the total number of different pupils enrolled during the month.

*Monthly principal's reports to district.* In most school districts, forms should have been developed for reporting each school's attendance to the district attendance office and adapted to whatever attendance system is being used: State School Register system, central attendance system, or local or regional educational data processing system.

*Monthly special education reports to district.* The special education department and teachers should submit registers or summary reports of any special education program attendance which has not been included in the principal's report to the district attendance office.

*Monthly reports to counties.* Many offices of county superintendents of schools request that each district superintendent submit, on forms which are provided, monthly attendance reports for each educational level. This enables such offices at the county level to provide an internal audit function and assistance on a timely basis so that the period and annual reports may be filed more expeditiously and accurately.

*Monthly summaries.* The district will want to summarize the attendance on a monthly basis for subsequent recording on the period and annual reports. The district will also want to prepare its own monthly reports of attendance and enrollment from these summaries as an administrative tool to be used in planning and projections.

### Annual and Period Attendance Reports

The governing board of each school district shall report to the Superintendent of Public Instruction during each fiscal year the average daily attendance (a.d.a.) of the district on period and annual report forms that are furnished with detailed instructions by the State Department of Education and offices of county superintendents of schools.

The following school attendance reports are to be completed according to instructions on the form and filed with the county superintendent of schools for examination and approval; the county superintendent of schools will send the original report to the Superintendent of Public Instruction not later than the date indicated in the instructions on the form:

1. First period attendance reports (Department of Education forms J-18-P1, J-19E-P1, J-19-P1, and J-22-P1) are filed in January for the attendance accrued to the school district from July 1 through the last school month ending on or before December 31 of each school year. A few reporting categories—classes for adults, continuation schools, regional occupational centers and programs (ROCs and ROPs), opportunity schools, and summer

schools—may also include some attendance of the prior school year. An apportionment is made by the State Department of Education by February 20 in accordance with Education Code Section 17402.

***First Principal Apportionment*** [EC41332;84322]

**EC17402.** The Superintendent of Public Instruction shall on or before February 20th of each year apportion to each elementary school district, high school district, community college district, county school service fund, and county school tuition fund the total amounts allowed to them under Sections 6426, 17751, 17801, 17851, 17901, 17902, 17904, 17951, 17952, 18060, 18062, 18102, 18102.2, 18102.4, 18102.6, 18102.9, 18352, 18355, 18358, 18401, and Sections 18451 to 18456, inclusive, whichever are in effect. This apportionment shall be called the first principal apportionment.

2. Second period attendance reports (forms J-18-P2, J-19-P2, J-19E-P2, and J-22-P2) are filed in April for attendance accrued to the school district from July 1 through the last full school month ending on or before April 15 of each school year. A few reporting categories—classes for adults, continuation schools and classes, ROCs and ROPs, opportunity schools, and summer schools—may also include some attendance of the prior school year. An apportionment is made by the State Department of Education by June 25 in accordance with Education Code Section 17407.

***Second Principal Apportionment*** [EC41335;84324]

**EC17407.** The Superintendent of Public Instruction shall on or before June 25th of each year apportion to each elementary school district, high school district, community college district, county school service fund, and county school tuition fund the total amounts allowed to them under Sections 6426, 17751, 17801, 17851, 17901, 17902, 17904, 17951, 17952, 18060, 18062, 18102, 18102.2, 18102.4, 18102.6, 18102.9, 18352, 18355, 18358, 18401, and Sections 18451 to 18456, inclusive, whichever are in effect. This apportionment shall be called the second principal apportionment.

3. Annual attendance reports (forms J-18A, J-19A, J-19E-A, and J-22A) are filed in July for attendance accrued to the school district from July 1 through June 30. If the a.d.a. on the annual report is greater or lesser than the a.d.a. on the second period report, Education Code Section 17601.1 provides for the computing of appropriate increases or decreases in the several categories of attendance for which separate foundation programs are required. Such computations shall be adjusted for the regular a.d.a. corresponding categories in the next year's first period and second period apportionments. These computations will be made by the Bureau of School Apportionments and Reports in the Department of Education. Final apportionments for certain categories—classes for adults, continuation classes, summer school, and so forth—are based on the second period reports, and no adjustments are made.

***Reports of Average Daily Attendance*** [EC41601;84701]

**EC17601.1.** For the purposes of this chapter, the governing board of each school district and community college district shall report to the Superintendent of Public Instruction during each fiscal year the average daily attendance of the district for all full school months during (1) the period between July 1st and December 31st, inclusive, to be known as the "first period" report for the first principal apportionment, and (2) the period between July 1st and April 15th, inclusive, to be known as the "second period" report for the second principal apportionment. The county superintendent of schools shall report the average daily attendance for the schools and classes maintained by him and the average daily attendance for the county school tuition fund. If the average daily attendance in the regular day schools of a district for the period of time between July 1 and June 30 is greater or lesser than the average daily attendance in the regular day schools reported for the second period report, the appropriate increases and decreases in the several categories of attendance for which separate foundation programs are required to be computed shall be recomputed on the basis of the foundation program and assessed valuation of the district of the fiscal year in which such increases and decreases in average daily attendance were applicable and the appropriate increases and decreases in apportionments shall be added or withheld in the next succeeding fiscal year pursuant to Section 17414.

Each report shall be prepared in accordance with instructions on forms prescribed and furnished by the Superintendent of Public Instruction and average daily attendance shall be computed in the following manner:

(a) The average daily attendance in the regular elementary, junior high, and high schools maintained by the school districts shall be determined by dividing the total number of days of attendance allowed in all full school months in each period, by the number of days such schools are actually taught in all full school months in each period, exclusive of Saturdays or Sundays.

If the average daily attendance in schools and classes maintained by school districts other than regular day schools and classes for the period of time between July 1 and June 30 is greater or lesser than the average daily attendance in such schools and classes reported for the second period report, the separate state support which is provided for attendance in such schools and classes shall be recomputed on the basis of the fiscal year average daily attendance, and increases and decreases in apportionments shall be added or withheld in the next succeeding fiscal year pursuant to Section 17414.

(b) The average daily attendance in grades 13 and 14 of the regular day schools of each community college shall be determined pursuant to the provisions of Article 5 (commencing with Section 11475). For community colleges under the provisions of this paragraph, the "first period" shall be the summer session and the fall semester for semester system colleges, the summer and fall quarter for colleges on the three-quarter system, and the summer and fall quarters for colleges on the four-quarter system. The "second period" shall be the "academic year" which is the summer session plus the first and second semester for semester system colleges, the summer session plus the first and second quarters for three-quarter-system colleges, and the summer, fall, and winter quarters for four-quarter-system colleges.

The "academic year" for three- or four-quarter-system colleges is reported on the annual report and adjustments shall be made as set forth in the first paragraph of this section.

(c) The average daily attendance in summer school and outdoor science and conservation education classes maintained during the period between the last day the regular day schools are in session during the preceding year and the first day the regular day schools are in session during the current year shall be reported on both the first period and second period reports. Such average daily attendance shall be computed by dividing the days of attendance allowed by 175. For community colleges, the hours of attendance shall be divided by 525 for all classes of less than four weeks duration. For summer sessions of four weeks or more, average daily attendance shall be computed as provided in Section 11475.

(d) The attendance for schools and classes maintained by the county superintendent of schools and for the county school tuition fund credited after the last full school month of the second period of the preceding year and prior to the end of each reporting period shall be reported on each report. The average daily attendance of the school, class, or fund shall be determined for the first period by dividing the days of attendance allowed by 100 and for the second period, the days of attendance allowed shall be divided by 175.

(e) The days of attendance in classes for adults continuation schools and classes, regional occupation centers and opportunity schools and classes maintained after the last full school month of the second period of the preceding year and prior to the end of each reporting period shall be reported on each report. The average daily attendance in such schools and classes shall be determined for the first period by dividing the days of attendance allowed by 100; for the second period, the days of attendance allowed shall be divided by 175 for kindergarten and grades 1 to 12, inclusive. In community colleges, the divisor for contact hours of adult classes is 300 for the first period and 525 for the second period.

*Elementary teacher reports.* Unless exempted in accordance with Education Code Section 13562 (see page 14 of this manual), every elementary school teacher is required to prepare the kindergarten and elementary annual and period attendance reports (forms J-18-A, J-18-P1, and J-18-P2). This is not to be confused as exemption from keeping the State School Register. However, if the register is kept on behalf of a teacher in accordance with Education Code Section 13558, the employee who keeps the register may also prepare the annual attendance report on behalf of the teacher when such reports are required.

Applications to the State Department of Education for exemption from filing kindergarten and elementary school

teacher's annual and period reports should be made through county superintendents of schools to the State Department of Education. Each application should include two copies of each of the forms locally employed by elementary school principals in submitting regular monthly reports of pupil attendance and enrollment data to city, district, or county superintendents of schools. Each application should be accompanied by the recommendation of the county superintendent of schools. No formal application form is provided for this purpose; a request by letter is sufficient. Annual approval for this exemption is not required.

*Filing requirements.* The filing requirements for annual and period attendance reports follow:

1. Instructions—Before filing period and annual reports, read carefully the instructions on the reverse side of each form, plus any other applicable information and filing dates furnished by the State Department of Education and county attendance offices.
2. Copies and audit—File an appropriate number of copies of the reports with the office of county superintendent of schools for review and forwarding to the Department of Education. Retain an exact duplicate of the original filed, including any corrections that may have been made at the county or state levels. All basic data used in preparing the reports must also be retained for later review and audit by representatives of the state or an independent auditing firm.
3. Penalties—Lack of proper teacher certification, failure to file the proper reports, or failure to maintain school at least 175 days can all result in loss of revenue. The salary due a certificated employee for his or her last month of service in the fiscal year is not to be approved by the county superintendent of schools until all reports required from the employee have been filed, as specified in the Education Code:

*Filing Reports Before Salary Payment* [EC45057; 87830]

**EC13529.** The salary payment due a certificated employee for his last month of service in any district during any fiscal year shall not be approved by the county superintendent of schools until all reports required from the employee have been filed with said superintendent.

4. Corrections—The Superintendent of Public Instruction is authorized by Education Code Section 17414 to make corrections of State School Fund Apportionments of $100 or more up to three years after the original apportionment. Districts are required to report errors involving an increase or decrease of $100 or more.

*Adjustive Apportionments; Regulations* [EC41341; 84330]

**EC17414.** If during any fiscal year there is apportioned to a school district or to any fund from the State School Fund at least one hundred dollars ($100) more or at least one hundred dollars ($100) less than the amount to which the district or fund was entitled, the Superintendent of Public Instruction, in accordance with regulations that he is herewith authorized to adopt not later than the third succeeding fiscal year shall withhold from, or add to, the apportionment made during such fiscal year, the amount of such excess or deficiency, as the case may be. Notwithstanding, any other provision of this code to the contrary, excesses withheld or deficiencies added by the Superintendent of Public Instruction under this section shall be added to or allowed from any portion of the State School Fund except that portion reserved as allowances for basic state aid.

**Special Education Program Reports**

A school district makes application for special apportionments to cover the additional costs of special programs by filing the first and second period and annual reports for special programs (Form J-22). At the end of the school year, the school district reports the actual cost of the programs in the Special Education Expense Report (Form J-26). Care should be taken in the preparation of these reports to ensure that the district reports accurately the a.d.a. and actual cost of the various special education programs.

The required special education reports are described here:

1. Forms J-22-P1, -P2 and -A—first, second, and annual reports for special programs—are separate reports of a.d.a. by grade level and type of handicapped pupils; these reports also require a reporting of the number of mentally gifted minors who are participating in programs and the number of children who have been identified as gifted. The reports also require information on the number of special classes, summer school a.d.a., and aggregate days taught in excess of the regular school year for certain programs.
2. Form J-22-P1, -P2, and -A, Supplement—the supplements to the first, second, and annual reports for special programs (for experimental programs)—require a reporting of the a.d.a., number of classes, and certain other data separately by grade level for experimental programs, classes exempted from maximum enrollment, and Trainable Mentally Retarded (TMR) classes of less than 180 minutes. Districts must have prior approval of the State Department of Education to operate experimental special education classes with enrollment maximums that are different from those prescribed in Education Code sections 6751.1, 6802.2, 6802.15, 6812.5, 6902.3, and 6903.2.
3. Form J-22.4—Application for Allowance for the Cost of Educating Exceptional Children Away from District of Residence—is an annual report to be filed by the student, and it requires information on the tuition charged by a private school or institution and the amount paid by district and period of attendance.
4. Form J-26—Special Education Expense Report—is an annual report of the a.d.a. and applicable expenses for each special education program. The apportionment revenue received on the basis of the Form J-22 information will be adjusted to the actual expenses, if less, when the first and second period apportionments are received in the following year. This report will usually be due in the office of the county superintendent of schools by August 15 for review and in the State Department of Education by September 1. A receivable or payable account should be set up on the district's books to reflect any material difference in apportion-

ment revenue due or owing because of the adjustment to the annual a.d.a. and expense reports.

5. Other applications and forms are required by the Department of Education so that it can comply with the provisions of Education Code sections 6870–6874.6, which provide for the education of children with exceptional needs when the services are not available from their school district or county.

***Legislative Intent*** [EC56030]

EC6870. It is the intent and purpose of the Legislature in enacting this chapter to provide special educational facilities and services to exceptional children who, because the school district or county superintendent of schools of the county in which they reside has no appropriate special education facilities and services or they cannot reasonably be provided to fit their needs, or because the State of California has no facilities to educate them, are unserved by this state's school system or by state institutions or agencies. It is the further intent and purpose of the Legislature to provide the Department of Education with broad administrative discretion, consistent with the needs of exceptional children and the intent of this chapter, in carrying out its responsibilities under this chapter. The Superintendent of Public Instruction may adopt rules and regulations consistent with this chapter which he deems necessary for the effective administration thereof.

(a) As used in this chapter:

(1) An educationally handicapped pupil means an educationally handicapped pupil as defined by Chapter 7.1 (commencing with Section 6750) of this division.

(2) A physically handicapped pupil means a physically handicapped pupil as defined by Chapter 8 (commencing with Section 6801) of this division.

(3) A mentally retarded pupil means a mentally retarded pupil as defined by Sections 6901 and 6902.

(4) A severely mentally retarded pupil means a mentally retarded pupil as defined by Sections 6901 and 6903.

(5) A multihandicapped pupil as determined by the Superintendent of Public Instruction means a pupil with any combination of handicaps described above in paragraphs (1), (2), (3), and (4).

(6) Exceptional children includes all pupils defined in paragraphs (1) to (5), inclusive, of this subdivision.

(b) "Special educational facilities and services" means:

(1) In the case of an educationally handicapped pupil, the special educational facilities and services specified in Chapter 7.1 (commencing with Section 6750) of this division.

(2) In the case of a physically handicapped pupil, the special educational facilities and services specified in Article 1 (commencing with Section 6801) of Chapter 8 of this division and Article 9 (commencing with Section 894) of Chapter 4 of Division 3.

(3) In the case of a mentally retarded pupil, other than a severely mentally retarded pupil, the special educational facilities and services specified in Sections 6902 and 895, insofar as applicable.

(4) In the case of a severely mentally retarded pupil, the special educational facilities and services specified in Sections 6903 and 895, insofar as applicable.

(5) In the case of a multihandicapped pupil, the special educational facilities appropriate to the pupil's handicaps as determined by the county superintendent of schools.

***Tuition Payments for Handicapped Pupils*** [EC56031]

EC6871. With the approval of the county superintendent of schools, any school district having a physically handicapped pupil, mentally retarded pupil, severely mentally retarded pupil, or multiply handicapped pupil for whom special education facilities and services as prescribed by Section 6870 are not available or cannot be reasonably provided, and for whom the State of California has no appropriate special education facilities and services, shall, and any school district having an educationally handicapped pupil for whom special education facilities and services as prescribed by Section 6870 are not available or cannot be reasonably provided, and for whom the State of California has no appropriate special education facilities and services, may, in lieu of establishing and maintaining the needed special education facilities and services at an unreasonable cost to the district, pay to the parent or guardian of such pupil toward the tuition for such pupil, enrolled in a public or private nonsectarian school, institution, or agency within or outside of California offering the special education facilities and services made necessary by the pupil's disabilities, an amount not to exceed the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question, the amount allowable per unit of average daily attendance for the particular category under Section 18102, 18102.2, 18102.4, or 18102.6, the amount allowable per unit of average daily attendance for the particular category under Section 18060, and the amount per unit of average daily attendance provided from revenue derived from district taxation for the current expense of education of a normal child in the schools of the district. For purposes of computing the amount per unit of average daily attendance provided from revenue derived from district taxation, there shall be excluded amounts produced by rates levied for special or restricted purposes, such as the rates levied pursuant to Sections 1822.2, 1825, 16633, 16635, 16645.9, 19443, 19619, 20801 to 20802.8, inclusive, 20806, and 20807, and there shall be included amounts produced by rates levied for general districtwide current support purposes, including the rates levied pursuant to Sections 20808 and 20808.5. As used in this article "tuition" includes the cost to the parent or guardian of transporting a pupil enrolled in a public or private nonsectarian school, institution, or agency under this section to and from school.

The provisions of this section shall be applicable as well to situations where the special educational facilities and services are available but are an unreasonable distance away from the home of the pupil. The Superintendent of Public Instruction shall adopt rules and regulations to implement the determination of the unreasonableness of such cost and distance, and any other rules and regulations deemed necessary by him for the effective administration of this chapter. The county superintendent of schools shall make a finding as to the unreasonableness of such cost or distance for the school districts within his jurisdiction and shall report such findings to the Superintendent of Public Instruction, who, if he approves such findings, shall authorize payments pursuant to this section and Sections 6872 and 6873.

The provisions of this section shall be applicable as well to situations where the public special educational facilities and services are available but the attending physician of the physically handicapped, mentally retarded, severely mentally retarded, multiply handicapped, or educationally handicapped pupil or the attending optometrist of the physically handicapped pupil who is blind or partially seeing, or of the educationally handicapped pupil with a visual-perceptual disorder, has recommended that it is in the best interests of the health and welfare of such pupil that the pupil be enrolled in a private nonsectarian school, institution or agency offering the special education facilities and services made necessary by the pupil's disabilities, and such recommendation has been approved by the county health officer and the county superintendent of schools on forms specified by the Superintendent of Public Instruction.

Priority in providing special education facilities and services shall be given to public school, or state-operated, programs. State and school district support for an exceptional child's education at a private nonsectarian school, institution, or agency shall be approved pursuant to this chapter only if no publicly operated programs are available to the pupil within a reasonable distance from his residence, or if such programs do not meet the specialized needs of the pupil, as determined under the procedures established by this chapter. Priority in approving private nonsectarian schools, institutions, or agencies shall be given to the nearest such school, institution, or agency from where the parent or guardian of the exceptional child resides and which provides training and education as defined in Section 6870.

In instances where public funds are paid to the parent or guardian of a pupil pursuant to this section, toward the tuition of such pupil enrolled in a private nonsectarian school, institution, or agency, the school, institution, or agency enrolling such pupil shall at the end of each school year submit a written progress report on each such pupil on forms provided by the Superintendent of Public Instruction, and shall forward such forms to the county superintendent of schools of the county authorizing placement. Such reports shall be used by the county superintendents of schools to determine continued eligibility for placement and reimbursement under this chapter.

In no event shall the total of any allowances or apportionments of state funds be made to a school district in behalf of a pupil receiving an allowance pursuant to this section in excess of the total of such amounts which would have been allowed or apportioned to the district if the pupil were in attendance at a school in the district.

***Application for Tuition Payment*** [EC56033]

EC6871.5. The parent or guardian of a pupil who has been denied admission and who qualifies for tuition payment pursuant to Section 6871 shall make written application to the school district for the tuition payment prescribed in Section 6871. Within 30 days after receipt of the application, the school district shall in writing grant or deny the application, with reasons stated in case of a denial. If the application is denied, the parent or guardian may appeal to the county superintendent of schools, who shall review the decision of the school district and shall within 30 days after receipt of the appeal, either affirm or reverse the school district's decision. If the county superintendent of schools reverses the school

district's decision, a report and claim shall be made by the school district in which the pupil resides, pursuant to Sections 6872 and 6873. Thereupon the county superintendent of schools may place and contract for the placing of the exceptional child in another school district within or without the county or county offering special educational services. The superintendent may then transfer to the district or county wherein the child is placed the amount of state aid the placing district receives for that child pursuant to Section 6873. If the county superintendent of schools affirms the school district's decision, the parent or guardian may, within 10 days following receipt of the county superintendent of schools' decision, further appeal to the Department of Education for reconsideration. Within 30 days following receipt of the appeal, the department shall, in writing either affirm or reverse the decision of the county superintendent of schools, and in the case of an affirmation, shall append a statement of reasons. If the department affirms the decision of a county superintendent of schools that decision shall be final. If the department reverses the decision of a county superintendent of schools not to grant the application, a report and claim shall be made by the school district in which the pupil resides, pursuant to Sections 6872 and 6873.

***Report of Attendance*** [EC56034]

EC6872. A school district having any pupil receiving the benefits of special education facilities and services under the provisions of Section 6871 shall report the attendance of such pupil and submit any claim the district may have for the regular and special purpose apportionment to be used in payment to the parent or guardian of such pupil toward any tuition arising out of such attendance through the county superintendent of schools to the Superintendent of Public Instruction. The aforementioned report and claim shall be submitted at the time and in the manner prescribed by the Superintendent of Public Instruction. The county superintendent of schools shall verify the attendance reported and claim submitted in the manner prescribed by the Superintendent of Public Instruction.

***Apportionment of Amount to Cover Tuition*** [EC56035]

EC6873. Upon verification of the attendance reported and the claim submitted, the Superintendent of Public Instruction shall apportion to the school district submitting the report and the claim of the parent or guardian of such pupil for the tuition in question an amount sufficient to satisfy the claim but not in excess of the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question and the amount allowable per unit of average daily attendance for the particular category under Section 18102, 18102.2, 18102.4 or 18102.6, and the amount allowable per unit of average daily attendance for the particular category under Section 18060. In the case of a multiply handicapped pupil the amount apportioned shall not exceed the sum per unit of average daily attendance of the regular state apportionment to the district for the fiscal year in question, the amount allowable per unit of average daily attendance under Section 18102, and the amount allowable per unit of average daily attendance for the particular category under Section 18060. The apportionments for physically handicapped, mentally retarded and multiply handicapped shall be made from the funds reserved under the provisions of subdivision (c) of Section 17303.5. The apportionment for educationally handicapped shall be made from funds reserved under the provisions of subdivision (g) of Section 17303.5. The apportionment shall be made for each fiscal year immediately following the fiscal year in which the attendance occurs.

***Claims*** [EC56036]

EC6874. No claim shall be satisfied by the Superintendent of Public Instruction for the education of an exceptional child under this chapter unless the school, institution, or agency which the child will attend meets minimum educational standards established by the State Board of Education pursuant to Section 6874.5.

***Minimum Educational Standards*** [EC56037]

EC6874.5. Except as otherwise provided in Section 6874.6, the State Board of Education shall adopt, by rules and regulations, minimum educational standards which shall be met by any school, institution, or agency enrolling an exceptional child under the provisions of this chapter. Such minimum standards shall relate solely to the educational program to be offered by the school, institution, or agency.

***Claim Where Insufficient Credentialed Teachers*** [EC56038]

EC6874.6. A claim concerning the attendance of an exceptional child at any school, institution, or agency in which there are insufficient numbers of properly credentialed teachers but which otherwise offers an acceptable educational program shall not be disallowed pursuant to Section 6874, if:

(a) The Department of Education has determined that there is in the area served by the school, institution, or agency a shortage of properly credentialed teachers, and

(b) The Department of Education determines that the needs of the exceptional children to be served by the school, institution, or agency will be more adequately served through an education at the school, institution, or agency than they would be if the children remain in their existing educational environments.

At such time that the Department of Education determines that there is in the area served by the school, institution, or agency a sufficient number of properly credentialed and employable teachers, the department shall require that properly credentialed teachers be employed by the school, institution, or agency before a claim may be satisfied for the education of an exceptional child at the school, institution, or agency.

This section shall apply only to a school, institution, or agency, enrolling an exceptional child under this chapter, which is situated in this state.

## Enrollment Reports Required

Enrollment information must be reported in various formats several times a year to the county for its use or review and transmittal to the State Department of Education. The data are used for several purposes: for statistical purposes, as a basis for class size penalties, and as a basis for teacher salary limitation exemption. As in the case of attendance reports, it is important that enrollment procedures, forms, and summaries provide accurate and timely information for the reporting of these data. A description of the required enrollment reports follows:

1. Form R-30—School District Report on Fall Active Enrollment as of the First School Month—requires that enrollment data be collected as of the end of the first school month, according to sex, grades, and special classifications, including number of full-time teachers. The R-30 form is due in the office of the county superintendent of schools for transmittal to the State Department of Education by the middle of October. The data from this form are used primarily for statistical purposes.
2. Form J-111A—Report of Individual Class Sessions as Required by Education Code Section 17505—requires that enrollment data be taken as of the last day of the

second school month, by grade level and by number of pupils in a class session, with certain exceptions such as special education, music, band, and so forth, and exemptions under Education Code Section 17503 applicable to teacher salary limitations. This report is due at the county level for transmittal to the State Department of Education by December 31, according to Education Code Section 17505.

***Apportionments for the Payment of Salaries of Classroom Teachers; Definitions*** [EC41372;84363]

EC17503. For purposes of this section:

(a) "Salaries of classroom teachers" and "teacher" shall have the same meanings as prescribed by Section 17200 of this code provided, however, that the cost of all health and welfare benefits provided to the teachers by the school district shall be included within the meaning of salaries of classroom teachers.

(b) "Current expense of education" means the gross total expended (not reduced by estimated income or estimated federal and state apportionments) for the purposes classified in the final budget of a school district (except one which, during the preceding fiscal year, had less than 101 units of average daily attendance) submitted to and approved by the county superintendent of schools pursuant to Section 20607 of this code for administration, instruction (including salaries and other expense), health services, operation of plant, maintenance of plant, and fixed charges. "Current expense of education" shall not include those purposes classified as transportation of pupils, food service, community service, capital outlay, state school building loan repayment; and shall not include the amount expended pursuant to any lease agreement for plant and equipment or the amount expended from funds received from the federal government pursuant to the "Economic Opportunity Act of 1964" or any extension of such act of Congress or the amount expended by a community college from state or federal funds received by the community college for grants to community college students or for the employment of community college students.

There shall be expended during each fiscal year for payment of salaries of classroom teachers:

(a) By an elementary school district, sixty percent (60%) of the district's current expense of education.

(b) By a high school district, fifty percent (50%) of the district's current expense of education.

(c) By a community college district, fifty percent (50%) of the district's current expense of education.

(d) By a unified school district, fifty-five percent (55%) of the district's current expense of education.

If the Superintendent of Public Instruction determines that a school district has not expended the applicable percentage of current expense of education for the payment of salaries of classroom teachers during the preceding fiscal year, he shall, in apportionments made to the school district from the State School Fund after April 15 of the current fiscal year, designate an amount of such apportionment or apportionments equal to the apparent deficiency in district expenditures. Any amount so designated by the Superintendent of Public Instruction shall be deposited in the county treasury to the credit of the school district, but shall be unavailable for expenditure by the district pending the determination to be made by the Superintendent of Public Instruction on any application for exemption which may be submitted to the Superintendent of Public Instruction. In the event it appears to the governing board of a school district that the application of the preceding paragraphs of this section during a fiscal year results in serious hardship to the district, or in the payment of salaries of classroom teachers in excess of the salaries of classroom teachers paid by other districts of comparable type and functioning under comparable conditions, the board may, with the written approval of the county superintendent of schools having jurisdiction over the district apply to the Superintendent of Public Instruction in writing not later than September 15th of the succeeding fiscal year for exemption from the requirements of the preceding paragraphs of this section for the fiscal year on account of which the application is made. Upon receipt of such application, duly approved, the Superintendent of Public Instruction shall grant the district exemption for any amount that is less than one thousand dollars ($1,000), and if the amount is one thousand dollars ($1,000), or greater may grant the district exemption, to the extent deemed necessary by him, from such requirements for the fiscal year on account of which the application is made. If such exemption is granted the designated moneys shall be immediately available for expenditure by the school district governing board. If no application for exemption is made or exemption is denied, the Superintendent of Public Instruction shall order the designated amount or amount not exempted to be added to the amounts to be expended for salaries of classroom teachers during the next fiscal year.

The Superintendent of Public Instruction shall enforce the requirements prescribed by this section, and may adopt necessary rules and regulations to that end. He may require the submission to him, during the school year, by school district governing boards and county superintendents of schools, of such reports and information as may be necessary to carry out the provisions of this section.

*Cases Where Section 17503 Not Applicable* [EC41374]

EC17505. Notwithstanding any other provision of law to the contrary, Section 17503 shall not apply to any elementary school district, high school district, or unified school district, which maintains no individual class session with pupils in attendance exceeding the numbers, for the particular grade levels, following:

(a) An elementary school district—twenty-eight (28) pupils.

(b) A high school district—twenty-five (25) pupils.

(c) A unified school district—twenty-eight (28) pupils in respect to grades kindergarten through 8, inclusive; and twenty-five (25) pupils in respect to grades 9 through 12, inclusive.

The provisions of this section shall in no way affect the applicability of Section 17503 to districts with respect to maintenance of community colleges, and individual class sessions in grades 13 and 14 maintained by any school district shall not be considered for purposes of this section.

As used in this section the phrase "individual class session" shall not include any class session held in grades kindergarten through 8, inclusive, in courses in art, instrumental and vocal music, industrial arts, and physical education. The phrase shall not include any class session held in grades 9 through 12, inclusive, in courses in commercial arts, instrumental and vocal music, industrial arts, vocational arts, and physical education. The phrase "individual class session" shall not include any class session held in grades 9 through 12, inclusive, for which two or more individual class groups which come within the descriptions specified by the first paragraph of this section and subdivision (a) or (b), or both, are assembled together in the same room for joint lectures or demonstrations.

Notwithstanding the provisions of subdivisions (b) and (c), grades 7, 8, and 9 of a junior high school shall be deemed to be high school grades for purposes of this section.

The governing board of each school district shall, subject to the rules and regulations of the Superintendent of Public Instruction and in the manner and form he shall prescribe, certify to that officer on or before December 31 of each year, information concerning its individual class sessions and the numbers of pupils in attendance thereon, as of the last day of the second school month of the same year which certification shall constitute the basis for the applicability of the provisions of this section to the school district.

3. Form J-7—Report of Regular Day Classes and Enrollment for Kindergarten and Elementary Grades—requires that enrollment be taken as an average of active regular day class enrollment on the last day of each school month ending prior to April 15 for kindergarten and grades one through three; and as active enrollment at the end of the sixth school month for grades four through eight, plus the number of full-time equivalent classroom teachers, as defined in the California Administrative Code, Title 5.

Form J-7 also calls for the computation of the average class size of pupils in the regular school program in kindergarten and grades one, two, and three and the ratio of pupils to teachers in the regular school program in grades four through eight in elementary schools. The data on Form J-7 are used to determine whether school apportionments should be decreased under the penalty provisions of Education Code Section 17507.

**5CAC15103. Definitions.** For the purposes of administering the provisions of this chapter and the provisions of Education Code Sections 17507 and 17507.5, the following definitions apply:

(a) "Class" means a group of pupils scheduled to report regularly at a particular time to a particular teacher as opposed to a grade which is a broader segment of the school organization.

(1) Where the type of teaching in kindergarten and grades 1, 2, and 3 is other than in self-contained classes, the "class" is the basic homeroom where all of the following applies for a child:

(A) Attendance is recorded and investigation of absences is instigated.

(B) The child has his desk, locker, or drawer.

(C) The teacher handles the administrative routines such as keeping cumulative records, collecting basic data about the child, distributing items to go home, collecting lunch money, and distributing and collecting report cards.

(D) The teacher is the usual contact with the child's parents.

(E) Some planned instruction is given.

(2) For kindergarten and grades 1, 2, and 3, when it is necessary for a specific group of pupils, consisting of a portion or all of the pupils otherwise enrolled in a "class," to meet together for a particular period or periods during the regular school day for a particular phase of education for which responsibility is assigned to two or more teachers, or for an extracurricular school activity, such group shall not be considered a "class" under the provisions of this section.

(b) "Regular day class" means a class maintained during the regular school day as defined by the governing board. Classes in special day and evening and summer schools, juvenile hall schools, and classes for the physically handicapped, mentally retarded, severely mentally retarded, educationally handicapped, and mentally gifted are not regular day classes for the purposes of this section.

(c) "Active enrollment" on a day a count is taken means the pupils in enrollment in the class on the first day of the school year on which the class was in session, plus all later enrollees, minus all withdrawals since that first day.

(1) For kindergarten and Grades 1, 2, and 3, a count shall be made on the last teaching day of each school month that ends prior to April 15 of the school year.

(2) For Grades 4 to 8, inclusive, the count shall be made at the end of the sixth school month. A count of full-time equivalent classroom teachers shall also be made at the end of the sixth school month.

**(d) The "number of pupils enrolled" in a class for kindergarten and Grades 1, 2, or 3 means the sum of the numbers determined by all the active enrollment counts made for the class pursuant to (c), divided by the number of such counts made for the class.**

**(e) The "average number of pupils enrolled per class" for grades 1, 2, and 3 is the number obtained by dividing the sum of the quotients derived under subsection (d) for all classes in those grades, by the number of those quotients. The "average number of pupils enrolled per class" for kindergarten is the number so obtained for all classes in kindergarten.**

**(f) The "total number of pupils enrolled" for grades 4 to 8, inclusive, means the active enrollment, as defined in subsection (c), in those grades at the end of the sixth school month, exclusive of the active enrollment of pupils in grades 4 to 8, inclusive, in classes considered to be of grades 1, 2, or 3 under Section 15102.**

**(g) "Classroom teacher" means an employee of the district in a position requiring certification qualifications whose duties require him to teach in regular day classes in any grade of Grades 4 to 8, inclusive, during the regular school year.**

**(h) One "full-time equivalent classroom teacher" means the period of time the duties under subsection (g) are assigned a classroom teacher equal to the total number of hours designated by a governing board as a regular school day. The period of time less than the regular school day for which a classroom teacher is assigned such duties is that fraction of a full-time equivalent classroom teacher which the period of time bears to a full-time equivalent classroom teacher expressed to the nearest one-tenth (0.1).**

***Minimum Class Size Standards; Apportionments; Reports; Rules and Regulations*** [EC41376]

**EC17507.** The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district:

(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class.

For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.

(b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner:

(1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board.

(2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year.

(3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above.

(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year.

(d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 17601.1 by the product determined under subdivision (c) of this section.

(e) If the school district reports that it has maintained, during the current fiscal year, no classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation:

He shall compute the product obtained by multiplying the excess number of pupils computed pursuant to subdivision (b) of this section by ninety-seven hundredths (0.97) and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to the district change in average daily attendance. He shall decrease the average daily attendance reported under the provisions of Section 17601.1 by the resulting product.

(f) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation:

He shall add to the product determined under subdivision (c) of this section, the product determined under subdivision (e) of this section and decrease the average daily attendance reported under the provisions of Section 17601.1 by this total amount.

The governing board of each school district maintaining elementary schools shall report for the fiscal year 1964-65 and each year thereafter the information required for the determination to be made by the Superintendent of Public Instruction under the provisions of this section in accordance with instructions provided on forms furnished and prescribed by the Superintendent of Public Instruction. Such information shall be reported by the school district together with, and at the same time as, the reports required to be filed for the second principal apportionment of the State School Fund. The forms on which the data and information is reported shall include a certification by each school district superintendent or chief administrative officer that the data is correct and accurate for the period covered, according to his best information and belief.

For purposes of this section, a "full-time equivalent classroom teacher" means an employee of an elementary, high school, or unified school district, employed in a position requiring certification qualifications and whose duties require him to teach pupils in the elementary schools of that district in regular day classes for the full time for which he is employed during the regular schoolday. In reporting the total number of full-time equivalent classroom teachers, there shall be included, in addition to those employees defined above, the full-time equivalent of all fractional time for which employees in positions requiring certification qualifications are required to devote to teaching pupils in the elementary schools of the district in regular day classes during the regular schoolday.

For purposes of this section, the number of pupils enrolled in each class means the average of the active enrollment in that class on the last teaching day of each school month which ends prior to April 15th of each school year.

The provisions of this section are not applicable to school districts with less than 101 units of average daily attendance for the current fiscal year.

Although no decreases in average daily attendance shall be made for the fiscal year 1964-65, reports are required to be filed under the provisions of this section, and the Superintendent of Public Instruction shall notify each school district the amount of the decrease in state allowances which would have been effected had such decrease in average daily attendance been applied.

The Superintendent of Public Instruction shall adopt rules and regulations which he may deem necessary for the effective administration of this section. Such rules and regulations may specify that no decrease in average daily attendance reported under the provisions of Section 17601.1 shall be made for a school district on account of large classes due to instructional television or team teaching, which may necessarily involve class sizes at periods during the day larger than the standard set forth in this section.

4. Forms J-18, J-19, and J-19E—reports of attendance—require a reporting of the total enrollment for the period covered by the report for related a.d.a. of regular day classes; the data for grades one through three and grades four through eight are required on Form J-18, and for grades nine through twelve on Form J-19. These forms are due at the end of the first and second periods and at year's end. The supplemental reports for out-of-district pupils also require this information. This is sometimes referred to as total enrollment. Pupils who transfer between schools are to be counted each time they transfer, but pupils who transfer between classes in the same school are to be counted only once.

## Reports with a Close Relationship to Attendance and Enrollment

The following reports have a close relationship to attendance and enrollment; however, this is not necessarily an inclusive list because of the continuous change in educational programs and the accompanying requirements for those programs:

1. Form J-13—Request for Allowance of Attendance Because of Emergency Conditions—is used to comply with the provisions of Education Code sections 11651, 11652, 11653, 17553:

***School Closed for Part of Term*** [EC46390; 84570]

**EC11651. Where a school in a district maintaining more than one school is closed for a part of a term by order of a city or county board of health or of the State Board of Health, or because of fire, flood, impassable roads, epidemic, or other emergency, or by an order provided for in Section 17553, the average daily attendance of the school shall be estimated separately, as provided in Section 11653, and added to the average daily attendance of the other schools of the district.**

***Lost or Destroyed Records*** [EC46391; 84571]

**EC11652. Whenever any attendance records of any district have been lost or destroyed, making it impossible for an accurate report on average daily attendance for the district for any fiscal year to be rendered, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the district and the county superintendent of schools, the Superintendent of Public Instruction shall estimate the average daily attendance of such district. The estimated average daily attendance shall be deemed to be the actual average daily attendance for that fiscal year for the making of apportionments to the school district from the State School Fund.**

***Emergency Conditions: a.d.a. Estimate*** [EC46392; 84572]

EC11653. Whenever the average daily attendance of any school district during any fiscal year has been materially decreased during any fiscal year because of

(a) Fire,

(b) Flood,

(c) Impassable roads,

(d) An epidemic,

(e) The imminence of a major safety hazard as determined by the local law enforcement agency,

(f) A strike involving transportation services to pupils provided by a nonschool entity, or

(g) An order provided for in Section 17553; such fact shall be established to the satisfaction of the Superintendent of Public Instruction by affidavits of the members of the governing board of the school district and the county superintendent of schools. The average daily attendance of the district for the fiscal year shall be estimated by the Superintendent of Public Instruction in such manner as to credit to the school district for determining the apportionments to be made to the district from the State School Fund approximately the total average daily attendance which would have been credited to the school district had the emergency not occurred or had the order not been issued.

The provisions of this section shall apply to any average daily attendance which occurs during any part of a school year.

***District Unable to Maintain Schools for Prescribed Time*** [EC41422; 84372]

**EC17553. A district which is prevented from maintaining its schools during a fiscal year for at least 175 days because of fire, flood, or epidemic, or because of any order of any military officer of the United States or of the State to meet an emergency created by war, or of any civil officer of the United States, of the State, or of any county, city and county, or city authorized to issue such order to meet an emergency created by war, or because of other extraordinary conditions, or because of inability to secure or hold a teacher, or because of the illness of the teacher, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the school district and of the county superintendent of schools, shall receive the same apportionment from the State School Fund as it would have received had it not been so prevented from maintaining school for at least 175 days.**

2. Form J-14.1—Affidavit of the Proper Certification for Work Performed by Certificated Employees—is required to be filed with the annual attendance reports, as specified in Education Code Section 13566:

***Annual Report of Superintendent of Schools*** [EC44819; 87714]

**EC13566. Each city or district superintendent of schools shall make an annual report of the schools under his jurisdiction to the county superintendent of schools on forms furnished by the Superintendent of Public Instruction, which report shall**

include an affidavit that all employees in positions requiring certification qualifications were properly certificated for the work performed.

3. Form J-18.1–Report of Small Elementary School
4. Form J-35–Report of Necessary Small High School
5. Form J-22-A–Annual Report for Special Programs
6. Form J-65–Report of Attendance for Development Centers for Handicapped Minors
7. Form J-66–Report of Expenditures for Development Centers and Transportation to Development Centers for Handicapped Minors
8. Form J-67–Certification of Total Income, Attendance, and Transportation for Development Centers for Handicapped Minors
9. Form C–Certificate of Attendance and Tuition Claimed for Education of Pupils Residing in Children's Institutions and Foster Homes for the School Year–is a separate claim to be filed by July 15th with the county superintendent of schools with Form B, a list of applicable pupils. These forms show apportionment attendance, a.d.a., current cost of education per unit of a.d.a., and total claim for reimbursement.
10. Form E–Certificate of Attendance and Tuition Claimed for Education of Nonimmigrant and Noncitizen Children for the School Year–is a claim to be filed by July 15th with the county superintendent of schools with a list of applicable pupils showing apportionment attendance and so forth. The claim requires a.d.a. information, current cost of education per unit of a.d.a., rates for special education programs, and total claim for reimbursement.
11. Form RSF-1–Application for School Assistance in Federally Affected Areas–Title I of Public Law 81-874
12. Form RSF-3–Report for Determining Final Payment Pursuant to Title I of Public Law 81-874

## Distribution of State Forms

All state attendance forms, including the State School Register, are shipped from the State Department of Education to the county superintendents of schools for distribution to all school districts within their respective counties. Requisition forms are supplied by the State Department of Education to county superintendents of schools for convenience in ordering. School district officials obtain the forms from their respective county superintendents of schools rather than direct from the Department. The only exception to this practice is that the State School Register (Form J-32) is shipped direct to those districts that have need for 440 or more copies.

## Destruction of Records

No record or document of a school district may be destroyed, except as provided in Education Code Section 1034 and the California Administrative Code, Title 5, Education, sections 16020–16030 (California Administrative Code sections 17401–17404, for county superintendents' records). Every record for the prior school year (July 1–June 30) *shall* be classified by the superintendent (or a personally supervised designee) before the next January 1.

***Regulations to Destroy Records*** [EC35253; 72603]

**EC1034. Whenever the destruction of records of a district is not otherwise authorized or provided for by law, the governing board of the district may destroy such records of the district in accordance with regulations of the Superintendent of Public Instruction which he is herewith authorized to adopt.**

**5CAC16020. Definition of Records.** (a) As used in this article, "records" means all records, maps, books, papers, and documents of a school district required by law to be prepared or retained or which are prepared or retained as necessary or convenient to the discharge of official duty.

(b) The following documents are not "records" and may be destroyed at any time:

(1) Mimeographed, otherwise duplicated, or carbon copies, except the original or one copy. (A person receiving a duplicated copy need not retain it.)

(2) Any pupil pass, tardy slip, admit slip, verification of illness or other note from home relating to a pupil.

(3) An individual memorandum, other than one relating to personnel matters, between one employee and another employee of the district.

(4) Notices of meetings.

(5) Advertisements and other sales material received.

(6) Library books, pamphlets, and magazines.

(7) Textbooks, maps used for instruction, and other instructional materials.

**5CAC16021. Scope of Chapter.** Records shall be retained, transferred or destroyed only as provided in this chapter.

**5CAC16022. Classification of Records.** (a) **Prior Year Records.** Before January 1, the district superintendent (or a person designated in the minutes of a district not employing a superintendent) shall review documents and papers originating during the prior school year and classify them as Class 1—Permanent, Class 2—Optional, or Class 3—Disposable.

(b) **Records Not Classified Before July 1, 1969.** All records not classified prior to July 1, 1969, are subject to the same review and classification as in (a). If such records are three or more years old and classified as Class 3—Disposable they may be destroyed without further delay, but in accordance with Article 3.

(c) **Current Year Records.** Records originating during a current school year shall not be classified during that year.

(d) **Continuing Records.** Records of a continuing nature, i.e., active and useful for administrative, legal, fiscal, or other purposes over a period of years, shall not be classified until such usefulness has ceased. A pupil's cumulative record, if not transferred, is a continuing record until the pupil ceases to be enrolled in the district.

(e) **Microfilm Copy.** Whenever an original record is photographed, microphotographed, or otherwise reproduced on film, the copy thus made is hereby classified as Class 1—Permanent. The original record, unless classified as Class 2—Optional, may be classified as Class 3—Disposable and may then be destroyed in accordance with this chapter if the following conditions have been met:

(1) The reproduction was accurate in detail and on film of a type approved for permanent, photographic records by the United States Bureau of Standards.

(2) The superintendent has attached to or incorporated in the microfilm copy his signed and dated certification of compliance with the provisions of Section 1531 of the Evidence Code.

(3) The microfilm copy was placed in a conveniently accessible file, and provision was made for preserving permanently, examining and using same.

5CAC16023. **Class 1—Permanent Records.** The original of each of the records listed in this section, or one exact copy thereof when the original is required by law to be filed with another agency, is a Class 1—Permanent record and shall be retained indefinitely, unless microfilmed in accordance with Section 16022(e).

**(a) Annual Reports.**

(1) **Official budget.**

(2) **Financial report of all funds, including cafeteria and student body funds.**

(3) Audit of all funds.

(4) Average daily attendance, including Period 1 and Period 2 reports.

(5) Other major annual reports, including:

(A) Those containing information relating to property, activities, financial condition, or transactions.

(B) Those declared by board minutes to be permanent.

(b) **Official Actions.**

(1) **Minutes of the Board or Committees Thereof,** including the text of a rule, regulation, policy, or resolution not set forth verbatim in the minutes but included therein by reference only.

(2) **Elections,** including the call, if any, for and the result (but not including detail documents, such as ballots) of an election called, conducted or canvassed by the governing board for a board member, his recall, issuance of bonds, incurring any long-term liability, change in maximum tax rates, reorganization, or any other purpose.

(3) **Records transmitted by another agency** that pertain to that agency's action with respect to district reorganization.

(c) **Personnel Records.**

(1) **Employees.** All detail records relating to employment, assignment, amounts and dates of service rendered, termination or dismissal of an employee in any position, sick leave record, rate of compensation, salaries or wages paid, deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detail records, a complete proven summary payroll record for every employee of the school district containing the same data may be classified as Class 1—Permanent, and the detail records may then be classified as Class 3—Disposable.

(2) **Pupils.**

(A) The records of enrollment and scholarship for each pupil required by Section 432.

(B) All records pertaining to any accident or injury involving a minor for which a claim for damages has been filed as required by law, including any policy of liability insurance relating thereto, except that these records cease to be Class 1—Permanent records one year after the claim has been settled or the statute of limitations has run.

(d) **Property Records.** All detail records relating to land, buildings, and equipment. In lieu of such detail records, a complete property ledger may be classified as Class 1—Permanent, and the detail records may then be classified as Class 3—Disposable, if the property ledger includes:

(1) All fixed assets.

(2) An equipment inventory.

(3) For each unit of property, the date of acquisition or augmentation, the person from whom acquired, an adequate description or identification, and the amount paid, and comparable data if the unit is disposed of by sale, loss, or otherwise.

5CAC16024. **Class 2—Optional Records.** Any record worthy of further preservation but not classified as Class 1—Permanent may be classified as Class 2—Optional and shall then be retained until reclassified as Class 3—Disposable. If the superintendent and governing board agree that classification should not be made by the time specified in Section 16022, all records of the prior year may be classified as Class 2—Optional pending further review and classification within one year.

5CAC16025. **Class 3—Disposable Records.** All records not classified as Class 1—Permanent or Class 2—Optional shall be classified as Class 3—Disposable, including but not limited to detail records relating to:

(a) **Records Basic to Audit,** including those relating to attendance, average daily attendance, or a business or financial transaction (purchase orders, invoices, warrants, ledger sheets, cancelled checks and stubs, student body and cafeteria fund records, etc.), and detail records used in the preparation of any other report. Teachers' registers may be classified as Class 3—Disposable only if all information required in Section 432 is retained in other records or if the General Record pages are removed from the register and are classified as Class 1—Permanent.

(b) **Periodic Reports,** including daily, weekly, and monthly reports, bulletins and instructions.

5CAC16026. **Retention Period.** A Class 3—Disposable record shall not be destroyed until after the second July 1 succeeding the completion of the audit required by Education Code Section 17206 or of any other legally required audit, or after the ending date of any retention period required by any agency other than the State of California, whichever date is later.

A continuing record shall not be destroyed until the third year after it has been classified as Class 3—Disposable.

5CAC16027. **Destruction of Records.** Unless otherwise specified in this chapter, all Class 3—Disposable records shall be destroyed during the third school year after the school year in which they originated (e.g., 1966–67 plus 3 = 1969–70).

5CAC16028. **Transfer of Records.** The only records that may be transferred are:

(a) **Cumulative Records.** A pupil's cumulative record may be transferred in accordance with Section 438. The items of information required to be kept permanently by Section 432 shall be included, by copy or otherwise, in the cumulative record when it is transferred, but the record of such items shall also be retained in the district.

(b) **Record of Enrollment and Scholarship.** Records specified in Section 432 may be transferred to the office of the principal of any new school upon discontinuance of a school or to the central office of the district.

(c) **Class 3—Disposable Record.** Any Class 3—Disposable record requested by the Historian of the State Archieves shall be transferred to him.

5CAC16029. **Superintendent Actions.** (a) **Classification.** The superintendent shall personally supervise the classification of records. He shall be responsible for, but he may delegate to any person, any other duties described in (b).

(b) **Listing.** The superintendent shall:

(1) Classify each record.

(2) Mark each file or other container as to class and the school year in which the records originated. If the records are classified as Class 3—Disposable, he shall also mark the school year in which they are to be destroyed.

(3) List for each class, by year, the general description and approximate number of items of each kind.

(4) Place a copy of the appropriate list in each container, as well as in the current or continuing file.

(5) At least 60 days before the date of proposed destruction, send a copy of the list of Class 3—Disposable records to the Historian, State Archives, Office of the Secretary of State, Sacramento, California.

(6) At the same time, submit to the governing board one copy of the list for each class and certify that no records are included in the lists in conflict with these regulations.

(7) Recommend that listed records in each class be retained, transferred to the State Historian, if requested, or destroyed as provided in this chapter.

(8) Retain, transfer to the State Historian, or destroy records only as approved and ordered in the minutes of the governing board.

5CAC16030. **Board Action.** The governing board shall:

(a) Approve or disapprove the recommendation of the Superintendent.

(b) Order a reclassification when necessary or desirable.

(c) Order by action recorded in the minutes (with lists attached), the retention, transfer to the State Historian, or destruction of records in accordance with these regulations.

5CAC17401. **Definitions.** (a) **Records.** "Records," as used in this article, mean all records, maps, books, papers, and documents of a county superintendent that he is required by law to prepare or retain or which he prepares or retains as necessary or convenient to the discharge of his official duty, except that:

(1) The record, map, book, paper, or document shall have been prepared, preserved, or maintained by the county superintendent with respect to a matter of state concern, i.e.,

a matter dealing directly with the administration and government of the public schools, including, but not being limited to:

(A) Records relating to the county school service fund.

(B) Records relating to any activity financed by the county school service fund.

(C) One exact copy of an original, made by carbon or other duplicating process other than a photostatic or microfilmed copy, when the original is required by law to be filed with another agency.

(D) All other records prepared, preserved, or maintained pursuant to a state statute, except as specified in subsection (2) of this section.

(2) The term does not include the records, maps, books, papers or documents, destruction of which is provided for in the Government Code, such as the following:

(A) Records relating to county matters, such as expenses and travel costs financed from the county general fund and matters imposed by county ordinance.

(B) Records of a county board of education and of a county committee on school district organization.

**(b) Microfilm Copy.** "Microfilm" copy means the same as in Section 16022(d), except that the copy was prepared under the direction of the county superintendent.

5CAC17403. **Applicable Provisions of Sections 16020 through 16030.** Sections 16020(b), 16021 (except subsection (e) thereof relating to minutes) and 16022 through 16030 apply to the records of the county superintendent, except that for the purposes of this chapter where the expression "superintendent" or "school district" is used it means the county superintendent and where the term "governing board" is used it means the county board of education.

5CAC17404. **Classification of Records Filed by Districts.** The county superintendent shall classify as Class 3—Disposable or as Class 2—Optional any record other than an original record required to be filed with him by a school district. Copies of district invoices, warrants, ledger sheets, attendance reports, and correspondence are examples of records that may be so classified.

Definitions show that Class 1-Permanent records (retained indefinitely) include (a) annual reports of attendance, budget information, and other matters; (b) board minutes and election results; and (c) property, employee, and pupil records (including enrollment and scholarship). Class 3-Disposable records (required to be destroyed after three years) include records basic to audit and detailed records such as (a) invoices; (b) ledgers; and (c) teachers' registers and cumulative records *but only* when California Administrative Code, Title 5, Section 431 pupil data are retained as Class 1-Permanent. Class 2-Optional records include only those Class 3-Disposable records ordered by the governing board to be worthy of further preservation.

Any pupil "pass," "tardy," and "admit" slip or any verification of illness or other note from home is *not* a "record" and may be destroyed at any time. Similarly, mimeographed material, except the original or one copy, carbon copies, and ordinary memos among employees are not "records." No microfilming is required for Class 3-Disposable records nor for Class 1-Permanent records to be retained. Complete information and procedural steps on destruction of records are listed in the California Administrative Code, Title 5, Education, Section 16029, which was cited earlier.

## Privacy of Records

Although school district records are, generally speaking, public documents, both the permanent and disposable records of a pupil are private. Since 1974, federal and state laws have been enacted to govern the privacy of student records. Education Code sections 10931–10949 contain regulations governing the use of pupil records, including regulations on notice to parents of their right of access to their children's records; different kinds of permissible access to records; maintenance of a log containing the names of those using the records; transfer of records; challenge procedures; and due legal process.

Additional protection of the rights and privacy of parents and students is stated in federal law (Public Law 93-380; 88 Stat. 484, H.R. 69, "Education Amendments of 1974"). This law declares that no federal funds shall be made available to any school district "which has a policy of denying or which effectively prevents" any parent's "right to inspect and review any and all official records, files, and data directly related to their children, including all material that is incorporated into each student's cumulative record folder, and intended for school use." Parents may challenge the record as to accuracy or appropriateness.

No federal funds shall be made available if the district "has a policy of permitting the release of personally identifiable records or files (or personal information contained therein) of students without the written consent of their parents" to any persons other than (a) school officials in the district with legitimate educational interests; (b) officials of other districts upon the transfer of a student, but only upon condition that the parents be notified, receive a copy of the records if requested, and have opportunity to challenge the content of the record; (c) authorized federal and state representatives; and (d) persons involved in a student's application for financial aid. Any person having access, except the person responsible for record maintenance, shall be required to sign a written form for inspection by the parent or a student who is eighteen years old. Parents shall be informed of these rights. Termination of federal funds may occur only after failure to comply voluntarily.

Those who may have access to pupil records without parental authorization are (1) students sixteen years of age or older; (2) personnel in schools, school districts, or offices of county superintendents of schools as well as members of student attendance review boards (SARBs); (3) agencies investigating requests for financial aid; (4) specified federal and state education authorities; (5) accrediting organizations; (6) appropriate persons when emergencies occur; (7) persons seeking data for educational research studies; (8) school districts or schools of intended enrollment; and (9) persons authorized by a court to do so.

Title 20, United States Code, Chapter 1232g(a)(5)(A), defines the "directory information" that may be released to the public and corresponds to Education Code Section 10944.

# Chapter IV Effect of Absences and Special Observances on Attendance Accounting

Many pupils will not be at school every day, and their reasons for being absent will be as varied as the emergencies and infirmities that beset the population at large. Because many of these absences are not allowable as apportionment attendance, this chapter is presented to clarify the accounting necessary to claim or disclaim absences properly as they affect the computation of average daily attendance.

## Absences Allowable as Apportionment Attendance

Absences that are allowable as attendance for apportionment purposes are discussed in the following sections of Title 5 of the California Administrative Code and in the Education Code, sections 10953 and 13651.4: [1]

5CAC420. **Absences Allowable as Attendance.** Absence due to any one or more of the following causes, when verified in accordance with this article, is allowable as attendance in a regular full-time day school as defined in Section 2(i) maintained by a district and in a school or class maintained by a county superintendent of schools:

(a) Illness.

(b) Quarantine directed by a county or city health officer.

(c) Having medical, dental, or optometrical services rendered.

(d) Attending funeral services of a member of the pupil's immediate family to the extent of not more than one day if the service is conducted in California and not more than three days if the service is conducted outside of California. Members of an immediate family are, for purposes of this subsection, those relationships set out in Education Code Section 13651.4 except that references therein to "employee" shall be deemed to be references to "pupil."

5CAC422. **Recording of Absence Due to Illness or Quarantine.** (a) Absence due to illness or quarantine shall, in the first instance, be recorded on attendance accounting forms and in state school registers in the same manner as any other absence is recorded.

(b) After a person authorized to make verification has determined that an absence is due to illness or quarantine, such fact shall be recorded as follows:

(1) If attendance records are kept manually and on the negative basis, the absence entry shall be circled with blue or black ink. If attendance records are kept manually and on the positive basis, an attendance entry shall be made and circled with blue or black ink. Circled entries may be recorded as attendance in the total attendance column.

(2) If attendance records are made by machine, an appropriate symbol shall be used to identify verified absences due to illness or quarantine on monthly attendance summary forms. Absences so identified may be recorded as attendance in the total attendance column.

5CAC423. **Prolonged Illness.** A pupil who contacts an illness of a prolonged nature or who has been a victim of an accident which will prevent attendance for a prolonged period shall be counted as absent due to illness only until such time as he is able and starts to receive instruction in home, hospital, or sanatorium, or is given instruction by other means. No absence due to illness shall be credited as attendance beyond the current school year.

5CAC424. **Prior Registration and Attendance Required.** Absence due to illness or quarantine shall not be credited for a pupil prior to his having been registered and in attendance upon a school or class.

**Total Days of Attendance** [EC46010; 76302]

EC10953. (a) The total days of attendance of a pupil upon the schools and classes maintained by a school district, or schools or classes maintained by the county superintendent of schools during the fiscal year shall be the number of days school was actually taught for not less than the minimum schooldays during the fiscal year less the sum of his absences.

(b) The absence of a pupil from school or class shall not be deemed an absence in computing the attendance of a pupil if such absence was:

(1) Due to his illness, or

(2) Due to quarantine under the direction of a county or city health officer, or

(3) For the purpose of having medical, dental, or optometrical services rendered, or

(4) For the purpose of attending the funeral services of a member of his immediate family, so long as such absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California, or

(5) For the purpose of jury duty in the manner provided for by law.

"Immediate family," as used in this subdivision, has the same meaning as that set forth in the last sentence of Section 13651.4 except that references therein to "employee" shall be deemed to be references to "pupil."

The provisions of this subdivision shall not apply in the case of pupils attending summer school, adult schools, and classes, or regional occupational centers and programs other than pupils concurrently enrolled in a regular high school program and a regional occupational center or program.

(c) The total days of attendance of a student in a regular full-time day community college during the fiscal year shall be the number of days actually taught for not less than the minimum college days during the fiscal year.

**Bereavement Leave of Absence** [EC45194; 88194]

EC13651.4. . . . Members of the immediate family, as used in this section, means the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the employee, or any relative living in the immediate household of the employee. . . .

[1] The new (reorganized) Education Code is now in effect. Throughout this publication the new section number for each of the Education Code sections presented is given in brackets at the beginning of the section. For a complete listing of the old Education Code section numbers cited in this publication, together with the corresponding new section numbers, the reader should refer to Appendix A.

Absence that is properly verified as being due to illness or other reasons stated in Education Code Section 10953 may be credited for the following pupils:

1. Pupils enrolled in regular classes, educationally handicapped classes, and integrated programs connected thereto
2. Pupils in attendance in special day classes for physically handicapped minors
3. Pupils in attendance in special training schools and classes for mentally retarded minors
4. Pupils in attendance in continuation high schools
5. Pupils enrolled in emergency schools or enrolled in special training schools or classes maintained by a county superintendent of schools
6. Pupils in an ROC/ROP concurrently enrolled in a regular public high school

Only those illness absences that equal 100 percent of the total school day or period of enrollment need be recorded. All verification of absence due to illness or other reasons must be completed before total attendance figures are entered on monthly attendance records. This should not, however, delay monthly attendance reports more than one week.

Any nonattendance for medical, dental, or optometrical services is recorded in the same manner as other absences, and the entries are circled with blue or black ink in the State School Register. Such nonattendance need not be recorded if it is less than 100 percent of the total school day or period of enrollment, and such nonattendance shall not be included in the absence column when monthly or annual totals are prepared but shall be included in the apportionment attendance column as if no absence had occurred.

## Verification of Absences Allowable as Apportionment Attendance

Education Code Section 10954 establishes the verification requirements for absences due to illnesses or quarantines:

***Absence Due to Illness or Quarantine*** [EC46011]

**EC10954. Absences due to illness or quarantine shall be verified by the district or the county superintendent of schools in such manner as the Superintendent of Public Instruction may provide.**

The California Administrative Code, Title 5, Education, Section 421, sets forth the methods of verification:

**5CAC421. Method of Verification.** (a) Any of the following persons may verify an absence due to illness or quarantine:

(1) A school or public health nurse.
(2) An attendance supervisor
(3) A physician
(4) A principal.
(5) A teacher.
(6) Any other qualified employee of a district or of a county superintendent of schools assigned to make such verification.

(b) The verification shall be made in accordance with any reasonable method which establishes the fact that the pupil was actually ill or under quarantine if the method has been approved:

(1) In the case of a school district, by resolution of the governing board entered in its minutes.

(2) In the case of a school or class maintained by a county superintendent of schools, by resolution of the county board of education entered in its minutes.

When notes from home are received, they need not be kept after the verifying authority has entered the verified absence on the attendance record unless the principal or superintendent so desires.

Illness is not defined in the Education Code, but in addition to the diseases and conditions generally recognized as illnesses, the State Department of Education has classified as illness the following: impetigo, scabies, ringworm, and pediculosis (head lice).

A pupil who is permitted by a physician to attend school only part of a day during the period of recuperation from an illness such as rheumatic fever may be considered as absent due to illness for the balance of each day, and no absence need be recorded, provided verification is made in the regular manner. In such cases one verification for each school month may be sufficient.

A pupil who has been classified by a physician as a carrier of a contagious disease and who is excluded from school for such reason may not be counted as absent due to illness until he or she is actually ill.

A pupil who contracts an illness of a prolonged nature or who has been a victim of an accident that will prevent attendance for a prolonged period should be counted as absent due to illness until such time as he or she is able to and starts to receive individual instruction in home, hospital, or sanatorium or is given other means of instruction. However, no absence due to illness may be credited as attendance beyond the current school year.

In some instances visits to a physical therapist or psychologist or other person, institution, or agency that provides health care may be verified as absence due to illness, the test being whether the pupil was actually ill at the time of the visit.

A pupil who is excluded from school because of exposure to a quarantinable disease may not be credited with absence due to quarantine unless the pupil is quarantined according to Section 10953 of the Education Code (see page 27 of this manual).

The verification of absences by students eighteen years of age or older is covered in Section 10954.5 of the Education Code:

***Verification of Absences: Students 18 Years of Age or Over*** [EC46012]

**EC10954.5. For purposes of any procedure for verification of absences from school, a student 18 years of age or over, with respect to his own absences from school, shall have all of the responsibilities and powers which, in the case of a minor, would be charged to the parent, guardian, or other person having charge or control of the minor.**

## Absences Not Allowed for Apportionment

Absences identified in Education Code Section 10953 (see page 27 of this manual) shall not be credited for any pupils in any school that is not a regular full-time day school, and those absences shall not be allowed as apportionment attendance for the following types of pupils:

1. A physically handicapped minor given individual instruction in the home or in an institution and who is not

enrolled in a regular full-time day school maintained at such an institution
2. Pupils in special day and evening classes (elementary school)
3. Pupils in evening schools or schools for adults
4. Pupils in an ROC/ROP not concurrently enrolled in a regular public high school
5. Pupils in classes for adults, as adults are defined according to the Education Code:

**Definition of "Adult"** [EC52610;78460]

EC5756. "Adult," for purposes of this section, means a person 18 years of age and older or a person who is not concurrently enrolled in a regular high school program. However, persons 18 years of age or older who are concurrently enrolled in a regular high school program are not adults for purposes of this section. Adults enrolled in any classes maintained by high school or unified school districts or county superintendents of schools pursuant to Sections 7450 through 7466, 45040, 45041, 45042, and 45043 shall be reported separately, and the adult foundation program shall be used in computing district apportionments.

**Attendance in Community Colleges; Computation** [EC78460.5]

EC5756.1. The attendance of adults in community college districts shall be computed in the same manner as the attendance of any other community college student.

## Partial-Day Absences for Unauthorized Reasons

There is often confusion in matters relating to unauthorized partial-day absences. The two categories of such absences are as follows:

1. Student-initiated absence. If a student, acting independently, departs from school before completing a full minimum day after once having been under the direct supervision of a certificated employee, such absence may be credited for full apportionment.
2. Certificated employee-initiated absence. If a student is suspended or is officially released by an authorized certificated school employee before attending a full minimum day, that portion of the minimum day not attended may not be credited for apportionment purposes. Only entire clock hours missed need be subtracted in the attendance accounting report.

## Absences for Religious Purposes

Absences due to religious instruction are covered in Section 1086 of the Education Code:

***Regulations Regarding Absences for Religious Purposes*** [EC46014]

**EC1086. Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at their respective places of worship or at other suitable place or places away from school property designated by the religious group, church, or denomination, which shall be in addition and supplementary to the instruction in manners and morals required elsewhere in this code. Such absence shall not be deemed absence in computing average daily attendance, if all of the following conditions are complied with:**

**(a) The governing board of the district of attendance, in its discretion, shall first adopt a resolution permitting pupils to be absent from school for such exercises or instruction.**

**(b) The governing board shall adopt regulations governing the attendance of pupils at such exercises or instruction and the reporting thereof.**

**(c) Each pupil so excused shall attend school at least the minimum school day for his grade for elementary schools, and as provided by the relevant provisions of the rules and regulations of the State Board of Education for secondary schools.**

**(d) No pupil shall be excused from school for such purpose on more than four days per school-month.**

**It is hereby declared to be the intent of the Legislature that this section shall be permissive only.**

## Holidays and Special Observances

The following sections of the Education Code govern absences on holidays and days of special observances that are not holidays:

***School Holidays*** [EC37220; 79020]

EC5201. Except as otherwise provided the public schools shall continue in session or close on specified holidays as follows:

(a) The public schools shall close on January 1st, February 12th known as "Lincoln Day," the third Monday in February known as "Washington Day," the last Monday in May known as "Memorial Day," July 4th, the first Monday in September known as "Labor Day," September 9th known as "Admission Day," November 11th known as "Veterans Day," that Thursday in November proclaimed by the President as "Thanksgiving Day," and December 25th.

(b) The Governor in appointing any other day for a public fast, thanksgiving, or holiday may provide whether the public schools shall close on the day. If the Governor does not provide whether the public schools shall close, they shall continue in session on all special or limited holidays appointed by the Governor, but shall close on all other days appointed by the Governor for a public fast, thanksgiving, or holiday.

(c) The public schools shall close on every day appointed by the President as a public fast, thanksgiving, or holiday, unless it is a special or limited holiday.

(d) The public schools shall continue in session on all legal holidays other than those designated by or pursuant to this section and shall hold proper exercises commemorating the day.

(e) When any of the holidays on which the schools would be closed fall on Sunday, the public schools shall close on the Monday following.

(f) When any of the holidays on which the schools would be closed fall on Saturday, the public schools shall close on the preceding Friday, and such Friday shall be declared a state holiday.

(g) Nothing in this section is to be interpreted as authorizing a school district governing board to maintain schools in its district for a lesser number of days during the school year than the minimum established by law.

***Weekend Classes*** [EC37228]

EC5207. The governing board of any elementary, high school, or unified school district or any county superintendent of schools may maintain classes on Saturday or Sunday, or both.

Such classes may include, but are not limited to, continuation classes, and the programs of a regional occupational center or regional occupational program.

Except as otherwise provided in this code, the attendance of any pupil in a class or program held on a Saturday or Sunday shall not result in the crediting of more than five days of attendance for such pupil per week.

Attendance at classes conducted on Saturday or Sunday, or both, shall be at the election of the pupil or, in the case of a minor pupil, the parent or guardian of the pupil.

Except as otherwise provided in this code, any class which is offered on a Saturday or Sunday shall be one offered during the regular Monday-through-Friday school week.

The voluntary attendance of pupils in approved programs for mentally gifted minors, as defined in Section 6421, in special educational activities conducted on Saturday or Sunday shall not be included in the computation of the average daily attendance of the district.

***Holidays Appointed by Governor*** [EC37221; 79021]

**EC5201.1. (a) Notwithstanding any other provision of Sections 5201 to 5210, inclusive, whenever the Governor appoints any other day as a holiday and does not provide for the closing of the public schools, but such public schools do close, such closing shall be deemed a closing for a holiday declared by the governing board pursuant to the provisions of Section 5202.**

**(b) All certificated employees shall be deemed to have served the public schools on holidays appointed by the Governor during the calendar year of 1969.**

All payments to certificated employees of the public schools for the holidays appointed by the Governor heretofore made during the calendar year 1969, shall be deemed to have been earned and the payments therefore are validated, and any certificated employee of the public schools shall be granted and paid for such holidays appointed by the Governor during the calendar year 1969 as provided for in Section 13520, if the appointed holiday occurred during the school term. In the event the holiday occurred during summer school, the certificated employee shall be paid for the appointed holiday in an amount such certificated employee would have received had he served on such holiday, which amount shall be determined in accordance with the rate of pay he is receiving pursuant to Section 13521.1.

(c) All classified employees shall be deemed to have served the public schools on holidays appointed by the Governor during the calendar year of 1969.

All payments to classified employees of the public schools for the holidays appointed by the Governor heretofore made during the calendar year 1969, shall be deemed to have been earned and the payments therefore are validated. Any school district which closed schools during calendar year 1969 for holidays appointed by the Governor but did not pay classified employees for those holidays shall do so, and employee entitlement shall be established under Section 13656.

***Declaration of Holiday by Governing Board*** [EC37222;79022]

EC5202. Notwithstanding any other provision of Sections 5201 to 5210, inclusive, and Section 5901, the governing board of any school district may declare a holiday in the public schools under its jurisdiction when good reason exists.

***Anniversary of Adoption of Constitution*** [EC37224; 79024]

EC5204. All public schools and educational institutions shall include in the school work on or near the anniversary of the adoption of the Constitution of the United States exercises and instruction for pupils suitable to their ages in the purpose, meaning, and importance of the Constitution of the United States, including the Bill of Rights.

***Conservation, Bird, and Arbor Day*** [EC37225;79025]

EC5205. March 7th of each year, the anniversary of the birthday of Luther Burbank, is set apart and designated Conservation, Bird, and Arbor Day.

All public schools and educational institutions shall observe Conservation, Bird, and Arbor Day not as a holiday, but by including in the school work of the day, suitable exercises having for their object instruction as to the economic value of birds and trees, and the promotion of a spirit of protection toward them, and as to the economic value of natural resources, and the desirability of their conservation.

***Susan B. Anthony Day*** [EC37226; 79026]

EC5206. February 15th of each year, the anniversary of the birthday of Susan B. Anthony, is designated and set apart as Susan B. Anthony Day.

All public schools and educational institutions shall observe this day with suitable exercises, directing attention to the development of the political and economic status of women in the United States, through the efforts of Susan B. Anthony.

***Black American Day*** [EC37227; 79027]

EC5206.1. March 5th of each year, the anniversary of the death of Crispus Attucks, the first black American martyr of the Boston Massacre, is designated and set apart as Black American Day to direct attention to the development of black people in the United States of America.

All public schools and educational institutions shall observe this day with suitable exercises.

***Saturday, Summer, Christmas, and Easter Vacation Driver Training Classes*** [EC37229]

EC5208. The governing board of any school district maintaining a high school or high schools, a county superintendent of schools, the California Youth Authority, and the State Department of Education authorized to maintain automobile driver training classes may maintain such classes on Saturday, and during summer, Christmas, and Easter vacations when schools are not in session.

***Holiday Maintenance During Emergency Period; Age Limitation on Harvesting and Equipment Use*** [EC37230; 79029]

EC5209. During any national emergency declared by the President of the United States of America, or during any war in which the United States of America is engaged, upon a finding by the Department of Employment Development that spoilage of a perishable crop will result because of a critical shortage of farm labor the governing board of a school district in which such crop is located may maintain the schools of the district on Saturdays, the first day of January, the 12th day of February, the third Monday of February, the last Monday of May, and the fourth Monday in October, in order to make pupils of the district available for the harvesting of crops without undue reduction in the number of days the schools of the district are maintained.

Nothing in this section shall permit or allow any student under the age of fourteen (14) to harvest such crops nor shall any student be permitted or allowed to use or to be in a position to use any dangerous equipment.

***Maintenance of School on Holidays Due to Climatic Conditions*** [EC37231; 79030]

EC5210. Whenever climatic conditions of a school district are such as to render it necessary that the schools be closed as early in the year as possible or opened as late in the year as possible, the governing board of the school district may maintain schools and classes on any days other than Saturday, Sunday, the twenty-fifth day of December, the first day of January, the fourth day of July, and any day appointed by the President or the Governor for a public thanksgiving.

When classes are maintained on holidays pursuant to this section, proper exercises shall be held commemorating the day.

***Outdoor Science and Education and Conservation Education Classes on July 4th*** [EC37232; 79032]

EC5212. Notwithstanding any other provisions of this article, the governing board of any school district providing, or any county superintendent of schools providing by agreement with the governing board of one or more school districts, programs and classes in outdoor science education and conservation education pursuant to Article 6 (commencing with Section 6011) of Chapter 6 of this division may maintain the programs and classes in outdoor science education and conservation education (a) on the fourth day of July when it does not fall on either a Saturday or a Sunday or (b) when it falls on either a Saturday or a Sunday, on the respective Friday or Monday which would otherwise, pursuant to subdivision (f) or (e), respectively, of Section 5201, be a holiday on which the public schools would be required to be closed.

Credit may be granted for attendance at programs and classes authorized by this section only for those pupils attending the program.

# Chapter V Attendance Accounting by Grade Level and Program

Attendance accounting requirements, which are set forth in regulations and instructions that are based on state laws, vary with grade level and educational program. An understanding of the requirements and terminology appropriate to the different grades and programs is necessary for the proper performance of attendance accounting operations. This chapter defines relevant terms and establishes the attendance accounting requirements for these situations.

## Definitions of Terms Used in Attendance Accounting

Many terms used in attendance accounting pertain to the length of school sessions and the computation of average daily attendance.

### School Year and Fiscal Year

The school year and the fiscal year begin on the first day of July and end on the last day of the next June. The terms "school year" and "fiscal year" are often used interchangeably in attendance accounting.

### Academic Year

An academic year is the time consumed during any fiscal year in the maintenance of regular day elementary school or high school classes. An academic year is not less than 175 days. An academic year usually begins in September and ends in June of the same state fiscal year, although schools adopting year-round school calendars would necessarily differ.

### School Term

The length of the school term is established by Education Code sections 17551 and 5103 as follows:

***Required Length of School Term*** [EC41420;84370][1]

**EC17551. No school district, other than one newly formed, shall, except as otherwise provided in this article (commencing with Section 17551), receive any apportionment from the State School Fund unless it has maintained the regular day schools of the district for at least 175 days during the next preceding fiscal year.**

**For the purposes of this article, the Board of Governors of the California Community Colleges shall establish standards to determine whether the districts within its jurisdiction have maintained the regular day schools of the district for at least 175 days during the next preceding fiscal year.**

[1]The new (reorganized) Education Code is now in effect. Throughout this publication the new section number for each of the Education Code sections presented is given in brackets at the beginning of the section. For a complete listing of the old Education Code section numbers cited in this publication, together with the corresponding new section numbers, the reader should refer to Appendix A.

***Equality of Length of Term: Exceptions*** [EC37202; 37203; 79002]

**EC5103. Except where a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or where the school has been closed on account of fire, flood, or other public disaster, the governing board of any school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year, all of the day high schools established by it for an equal length of time during the school year and all of the day community colleges established by it for an equal length of time during the school year.**

### School Month

The definition of a school month appears in Education Code Section 5102:

***School Month*** [EC37201; 79001]

**EC5102. (a) A school month is 20 days or four weeks of five days each, including legal holidays; provided, however, that for the purposes of counting attendance only in providing for a school calendar the Christmas vacation period, or any portion thereof, may be excluded by the school district in the definition of a school month.**

**(b) The provisions of subdivision (a) of this section are limited to defining a school month for attendance counting purposes only. A school month for employee pay purposes may be designated by the governing board to begin on any day of the week.**

If a school term is divided into two semesters, the first day of the second semester need not be the first day of the school month. Also, school months necessarily overlap calendar months.

### School Week

A school week is defined as seven consecutive days beginning Monday and ending Sunday. This definition is primarily important for those classes or programs using Saturday schedules, as authorized in Education Code sections 5207 and 5208:

***Weekend Classes*** [EC37228]

**EC5207.** The governing board of any elementary, high school, or unified school district or any county superintendent of schools may maintain classes on Saturday or Sunday, or both.

Such classes may include, but are not limited to, continuation classes, and the programs of a regional occupational center or regional occupational program.

Except as otherwise provided in this code, the attendance of any pupil in a class or program held on a Saturday or Sunday shall not result in the crediting of more than five days of attendance for such pupil per week.

Attendance at classes conducted on Saturday or Sunday, or both, shall be at the election of the pupil or, in the case of a minor pupil, the parent or guardian of the pupil.

Except as otherwise provided in this code, any class which is offered on a Saturday or Sunday shall be one offered during the regular Monday-through-Friday school week.

The voluntary attendance of pupils in approved programs for mentally gifted minors, as defined in Section 6421, in special educational activities conducted on Saturday or Sunday shall not be included in the computation of the average daily attendance of the district.

***Saturday, Summer, Christmas, and Easter Vacation Driver Training Classes*** [EC37229]

**EC5208. The governing board of any school district maintaining a high school or high schools, a county superintendent of schools, the California Youth Authority, and the State Department of Education authorized to maintain automobile driver training classes may maintain such classes on Saturday, and during summer, Christmas, and Easter vacations when schools are not in session.**

However, a student may develop apportionment attendance for a maximum of five days within a calendar week.

### School Day

Authority to establish the length of the school day is contained in Education Code Section 10952:

***Length of School Day*** [EC46100; 76301]

**EC10952. The governing board of each school district shall, subject to the provisions of this chapter (commencing at Section 10951), fix the length of the school day for the several grades and classes of the schools maintained by the district.**

(For specific information on the required minimum day for a particular grade level or program, see the pertinent section of this manual.)

### Average Daily Attendance

Average daily attendance is computed from the total days or hours of attendance that may be counted by applying divisors that are established by law. However, the uniform and objective determination of average daily attendance (a.d.a.) in public schools involves more than merely the proper treatment of numerical quantities. It also involves the proper understanding of (1) the types of schools and classes; (2) the legal requirements governing the admission of pupils to the several types of schools and classes; and (3) the requirements governing procedures and forms for crediting, recording, computing, and reporting pupil attendance. All of these matters are controlled by specific provisions of state law, by regulations of the State Board of Education, or by regulations of the Superintendent of Public Instruction.

The following sections of the Education Code contain procedures for various aspects of computing a.d.a. in most situations:

***Method of Computing a.d.a.*** [EC46300; 84500]

EC11251. (a) In computing the average daily attendance of a school district, there shall be included only the attendance of pupils while engaged in educational activities required of such pupils and under the immediate supervision and control of an employee of the district who possessed a valid certification document, registered as required by law, authorizing him to render service in the capacity and during the period in which he served. For purposes of computing the average daily attendance of a community college district, attendance shall also include student attendance and participation in approved coordinated instruction systems programs of instruction using television, computer-assisted instruction, automated audio-visual systems, programmed learning materials, and other similar teaching techniques, under the coordination and evaluation of an employee who possessed an appropriate certification document, but not requiring the immediate supervision of such employee. Approved coordinated instruction systems programs of instruction are those recommended by the governing board of the district maintaining the community college and approved by the Board of Governors of the California Community Colleges. One student contact hour is to be counted for each unit of coordinated instruction systems credit in which a student is enrolled during any census period. The state aid apportionment made by the board of governors shall not be greater than one-half the current costs of conducting approved coordinated instruction systems programs of instruction. Coordinated instruction systems programs of instruction shall be conducted by employees of the district who possess valid credentials or certification documents, who shall determine the need for immediate supervision of the programs of instruction. Such employees shall evaluate individual student progress and assign appropriate grades for students enrolled in classes taught by the coordinated instruction systems programs of instruction.

(b) For the purpose of work experience education programs in the secondary schools meeting the standards of the California State Plan for Vocational Education, "immediate supervision" of off-campus work training stations means pupil participation in on-the-job training as outlined under a training agreement, coordinated by the school district under a state-approved plan, wherein the employer and certificated school personnel share the responsibility for on-the-job supervision. The pupil-teacher ratio in any such work experience program shall not exceed 125 students per full-time equivalent certificated coordinator. A pupil enrolled in such work experience program shall not be credited with more than one day of attendance in any calendar day, and shall be a full-time student enrolled in regular classes meeting the requirements set forth in Section 11052 or 11055.

(c) For purposes of computing the average daily attendance of a community college district, attendance shall also include student attendance and participation in in-service training courses in the areas of police, fire, corrections, and other criminal justice system occupations that conform to all apportionment attendance and course of study requirements otherwise imposed by law; provided that such courses are fully open to the enrollment and participation of the public pursuant to subdivision (2) of Section 5753; and provided further, that prerequisites for such courses shall not be established or construed so as to prevent academically qualified persons not employed by agencies in the criminal justice system from enrolling in and attending such courses.

(d) In the event that certain in-service training courses are restricted to employees of police, fire, corrections, and other criminal justice agencies, attendance for such restricted courses shall not be reported for purposes either of state apportionments or district revenue limits computed pursuant to Sections 20935 and 20937. Notwithstanding the provisions of Section 5753, a community college district which restricts enrollment in such in-service training courses may contract with any public agency to provide compensation for the cost of conducting such courses.

(e) Positive records of student admissions and daily attendance in all in-service training courses in the areas of police, fire, corrections, and other criminal justice system occupations, as described in subdivision (c), shall be maintained by each district and shall be separately reported annually to the Chancellor's Office of the California Community Colleges.

***Computation Where No Other Method Provided*** [EC46301; 84501]

EC11252. Whenever for the purposes of Sections 10951 to 11653, inclusive, Sections 17151 to 18460.1, inclusive, Sections 18654 to 20251, inclusive, Sections 20501 to 21801, inclusive, and Sections 21803 to 22152, inclusive, whichever are in effect, it is necessary to compute the average daily attendance of a school of a district for any certain purpose and no provision is made for the computation thereof for such purpose, the average daily attendance of the school shall be computed by dividing the total number of days of pupil attendance allowed by the number of days school was actually taught in the regular day schools of the district, exclusive of Saturdays or Sundays.

***Computation in Schools With Four 12-Week Terms*** [EC46302]

**EC11253. Where in a high school or elementary school four terms of school of at least 12 weeks each are maintained during a fiscal year, and where the course of instruction is so arranged that students may complete a full year's work in any three terms, the total number of days of pupils attendance shall be divided by the greatest number of days school was actually taught in any three of the four terms, but in no case shall the divisor be less than 175.**

***Fractional Units*** [EC46303; 84502]

**EC11254. This section shall apply to all allowances, computations, and apportionments made pursuant to Sections 10951 to 11653, inclusive, Sections 17151 to 18460.1, inclusive, Sections 18654 to 20251, inclusive, Sections 20501 to 21801, inclusive, and Sections 21803 to 22152, inclusive, whichever are in effect.**

**(a) If any computation of average daily attendance made under, or necessitated by, any provision of Sections 10951 to 11653, inclusive, Sections 17151 to 18460.1, inclusive, Sections 18654 to 20251, inclusive, Sections 20501 to 21801, inclusive, and Sections 21803 to 22152, inclusive, whichever are in effect, results in a fraction of less than one-half of a unit, the average daily attendance shall be taken as the next lowest whole number, except that if such computation results in an average daily attendance of less than one unit, the average daily attendance shall be deemed to be one unit; but if the fraction is one-half or more of a unit, the average daily attendance shall be taken as the next highest whole number.**

**(b) Whenever any reference is made to a specific whole**

number of units of average daily attendance said number shall include any fraction above said number which is less than one-half of a unit, and any fraction of one-half or more of a unit above the next lowest whole number.

## Attendance Accounting by Grade Level

For apportionment purposes all attendance for kindergarten and grades one through eight (including Early Childhood Education programs where applicable) is reported on the elementary level, and all attendance for grades nine through twelve is reported on the high school level.

When grades seven and eight are included in a junior high school administrative organization, their attendance is reported on the elementary level.

The attendance for grade nine or grades nine and ten in a junior high school is reported on the high school level.

In four-year community colleges, the attendance for grades eleven and twelve is reported on the high school level.

### Elementary School Attendance Accounting

The regulations pertaining to kindergarten through grade eight are in the following sections of the California Administrative Code, Title 5, Education, and the Education Code:

**5CAC10. Daily School Sessions.** Unless otherwise provided by resolution of the governing board, the daily school session in elementary schools shall be as follows:

| *Grades* | *Begin* | *End* | *Noon Intermission* | *Recesses* |
|---|---|---|---|---|
| 1, 2, 3 | 9 a.m. | 2:10 p.m. | 12M to 1 p.m. | (10 to 10:10 a.m.)<br>(11 to 11:10 a.m.) |
| 4–8 | 9 a.m. | 4 p.m. | 12M to 1 p.m. | A total of 20 min. |

**5CAC11. Recesses.** (a) In kindergarten and every grade and class in the elementary schools, a total of at least 20 minutes daily shall be devoted to recesses.

(b) Unless otherwise provided by a regulation of the governing board, a pupil in preschool, kindergarten, or grades 1, 2, or 3 shall not be kept in school longer than one hour without a recess, except that at the end of the day the period may be one hour and 10 minutes.

(c) All pupils shall be required to leave the school rooms at recess unless it would occasion an exposure of health.

***Combined Kindergarten and First Grade*** [EC37041]

**EC5252. The kindergarten and the first grade may be combined in one class if the total class enrollment does not exceed the enrollment fixed by Section 17507 as permissible for grade 1 without reduction of average daily attendance. The attendance of the children enrolled in the kindergarten in such a class shall be counted as attendance upon a kindergarten.**

***Preschool Educational Program Combined with a Kindergarten Class*** [EC37042]

**EC5253. A preschool educational program established by a school district or by a county superintendent of schools pursuant to Section 16643 may be combined in one class with a kindergarten in a school maintained by such district or within the jurisdiction of such county superintendent of schools, in any situation in which Section 5257 is applicable with respect to the duty to establish a kindergarten. The attendance of only those children enrolled in the kindergarten in such a class shall be counted as attendance upon a kindergarten.**

***Effect of Combining Kindergarten With One or More Elementary Grades*** [EC37045]

**EC5258. The governing board may conduct the kindergarten in the same room with and by the same teacher conducting one or more elementary grades maintained by the district. The minimum schoolday for pupils of a kindergarten which is so conducted is 180 minutes, inclusive of recesses, and the attendance of the children enrolled in the kindergarten shall be counted as attendance upon a kindergarten. The minimum schooldays for pupils of the other grades so conducted are those specified in Sections 11005 and 11006, exclusive of noon intermissions and recesses, and the attendance of the children enrolled in such other grades shall be counted as attendance upon those grades.**

**No teacher shall teach more than one such class in any single schoolday.**

***Maximum Credit for Attendance*** [EC46110]

**EC11001. No pupil in a kindergarten or in any grade of an elementary school shall be credited with more than one day of attendance in any calendar day and nothing in this article (commencing at Section 11001) shall be construed to the contrary.**

***Single Session Kindergarten Classes*** [EC46118]

**EC11301.5. A single session kindergarten class shall meet all of the following criteria:**

**(a) The class is maintained for a minimum of 180 minutes per schoolday.**

**(b) The kindergarten class teacher is assigned to only one session of kindergarten daily as a principal teacher.**

**(c) The kindergarten teacher is a full-time certificated employee.**

**(d) The full-time duties of the kindergarten teacher are directly related to the kindergarten program.**

***150-Minute Kindergarten Classes*** [EC46119]

**EC11301.6. The governing board of a school district which has fewer than 40 pupils enrolled in kindergarten classes may make application to the Superintendent of Public Instruction requesting approval to maintain two kindergarten classes of 150 minutes each inclusive of recesses on the same day which are taught by the same teacher. The average daily attendance for such classes shall be adjusted by a multiplication factor of 0.500.**

***Maximum Kindergarten School Day*** [EC46111]

**EC11002. No pupil in a kindergarten shall be kept in school in any day more than four hours exclusive of recesses.**

***Minimum School Day for Grades 1, 2 and 3*** [EC46112]

**EC11005. The minimum schoolday in grades 1, 2, and 3 in elementary schools, except in opportunity schools, classes, or programs, is 230 minutes, except where the governing board of a school district has prescribed a shorter length for the schoolday because of lack of school facilities which requires double sessions, in which case the minimum schoolday in such grades shall be 200 minutes.**

***Minimum School Day for Grades Four Through Eight*** [EC46113]

**EC11006. The minimum schoolday in grades 4, 5, 6, 7, and 8 in elementary schools and in special day and evening classes of an elementary school district, except in opportunity schools, classes, or programs, is 240 minutes.**

***Alternative Computation of Minimum Schoolday for Elementary Grades*** [EC46114]

**EC11006.5. (a) The minimum schoolday in grades 1, 2, and 3 in elementary schools may be computed by determining the number of minutes of attendance in any 10 consecutive schooldays and dividing that number by 10. If the resulting quotient is 230 or more, the pupils shall be deemed to have complied with Section 11005, even if the number of minutes attended in any one schoolday is less than 230, but not less than 170.**

(b) The minimum schoolday in grades 4, 5, 6, 7, and 8 in elementary schools may be computed by determining the number of minutes of attendance in any 10 consecutive schooldays and dividing that number by 10. If the resulting quotient is 240 or more, the pupils shall be deemed to have complied with Section 11006, even if the number of minutes attended in any one schoolday is less than 240, but not less than 180.

No computation authorized by this section shall result in any increase in state apportionments.

***Noon Intermissions and Recesses*** [EC46115]

EC11007. The minimum school day in kindergartens and in grades one to eight, inclusive, in elementary schools, is exclusive of noon intermissions and, except in kindergartens, exclusive of recesses.

The computation of a.d.a. in the elementary grades is discussed in Education Code Section 11301:

***Computation Generally*** [EC46117; 46320]

EC11301. The units of average daily attendance in the elementary schools of a district for a fiscal year shall be computed by dividing the total number of days of pupils attendance allowed in all kindergarten and elementary schools and classes of the district during the fiscal year by the number of days school was actually taught in the regular day elementary schools of the district during the fiscal year, exclusive of Saturdays or Sundays, plus the units of average daily attendance credited to the district on account of the education of seventh- and eighth-grade pupils in a junior high school pursuant to Section 11404.

The minimum schoolday for pupils in kindergartens is 180 minutes inclusive of recesses, and no units of average daily attendance shall be credited for attendance in kindergarten classes if the minimum schoolday of such classes is less than 180 minutes.

For the purposes of this article, a day of attendance in special training schools or classes defined by Section 6903 is based on a 180-minute minimum day. When the minimum day is less than 180 minutes, the average daily attendance shall be adjusted by a multiplication factor of 0.417.

Elementary school attendance will be reported to the Department of Education on forms J-18-P1, J-18-P2, and J-18A.

## Junior High School and High School Attendance Accounting

In most cases the method of attendance accounting that applies to junior high schools also applies to high schools. The following definitions may prove helpful:

***Designation of High Schools*** [EC53]

EC5553. The high schools of the State are designated as four-year high schools, junior high schools, senior high schools, continuation high schools, and evening high schools. Evening high schools may be designated as adult schools.

- A four-year high school is a high school that maintains grades nine through twelve.
- A senior high school maintains grades ten through twelve or grades eleven and twelve.
- A junior high school maintains grades seven and eight, grades seven through nine, or grades seven through ten.
- The term "junior-senior high school" is often applied to a junior high school and a senior high school that are located on the same premises and administered together by the same principal. Legally, a junior-senior high school consists of two separate administrative units—a junior high school and a senior high school—and attendance accounting is handled separately for each administrative unit.

Regulations pertaining to the conduct of junior and senior high schools are discussed in the following sections of the Education Code:

***Mandatory Schools for Day Pupils*** [EC37101]

EC5652. Each high school district shall establish and maintain for the convenience of the day pupils of the district at least one four-year high school, or in lieu thereof, at least one junior high school, and one senior high school, or if the high school district is situated within a community college district maintaining a four-year community college, at least one junior high school providing for the education of pupils of grades 7 to 10, inclusive.

A high school district which is coterminous with an elementary school district and which is a part of a community college district maintaining a community college offering four years of work including the 11th, 12th, 13th, and 14th grades may, at the option of the governing board, maintain only one or more junior high schools.

No junior high school or system of junior high schools may be established in a high school district under the provisions of this section except as authorized by Sections 5601 to 5613, inclusive, and Section 5624.

***Minimum School Week: Junior High Schools and High Schools*** [EC46160]

EC11661. Notwithstanding any other provision of law, the governing board of a school district which maintains a junior high school or high school may schedule classes in such schools so that each pupil attends classes for at least 1,200 minutes during any five-schoolday period.

Under such a schedule, any pupil may be authorized to attend school for less than the total number of days in which the school is in session during a week as long as he attends the required number of minutes per five-schoolday period.

Computations authorized by this section shall not result in an increase in state apportionments to a school district.

***Compliance with Attendance Requirements*** [EC46161]

EC11662. If a pupil attends classes pursuant to a schedule adopted under the authority of this chapter, he shall be deemed to have complied with all of the requirements of this code relating to school attendance.

***Maximum Credit for Attendance*** [EC46140]

EC11051. No pupil in a high school, other than a pupil in a vocational education program occupationally organized and conducted under federal approval, evening high school, continuation high school, or continuation education class, shall be credited with more than one day of attendance in any calendar day and nothing in this article (commencing with Section 11051) shall be construed to the contrary.

***Minimum Schoolday*** [EC46141]

EC11052. The minimum schoolday in any high school, except in an evening high school, a regional occupational center, an opportunity school and in opportunity classes, a continuation high school, in continuation education classes, in late afternoon or Saturday occupationally organized vocational training programs conducted under a federally approved plan for vocational education, and for students enrolled in a work experience education program approved under the provisions of Article 5.5 (commencing with Section 5985) of Chapter 6 of Division 6, is 240 minutes.

***Alternative Method of Computing Minimum Schoolday*** [EC46142]

EC11052.5. The minimum schoolday in any junior high school or high school described in Section 11052 may be computed by determining the number of minutes of attendance in any 10 consecutive schooldays and dividing

that number by 10. If the resulting quotient is 240 or more, the pupils shall be deemed to have complied with Section 11052, even if the number of minutes attended in any one schoolday is less than 240, but not less than 180.

No computation authorized by this section shall result in any increase in state apportionments.

***Minimum Schoolday: Exception for Certain Pupils in Grade 12*** [EC46145]

EC11056. Notwithstanding Section 11032, the governing board of a school district may permit a 12th-grade student in his last semester or quarter, as the case may be, before graduation, who would complete all of the requirements for graduation by attending high school, except courses of physical education, for less than 240 minutes each day, to attend high school for less than a minimum day of 240 minutes, upon the written request of a parent or legal guardian or upon his own written request if he is 18 years of age or over. Attendance pursuant to this section shall, for apportionment purposes and for school district revenue limitation purposes, be deemed to be attendance for a minimum day of 240 minutes.

In no case shall the noon intermission or "brunch" periods be included in the hours of a regular or a shortened daily session. The time required for passing between classes, however, is part of the school day. The size of the campus usually determines the amount of time between classes, but in no event shall the passing time between each class exceed 10 minutes when the 240-minute minimum day is computed.

Evening high schools are authorized, and the following sections of the Education Code describe procedures pertaining to the establishment of such schools and attendance accounting procedures therein:

***Establishment and Maintenance*** [EC51720]

EC5670. The governing board of a school district which maintains high schools and a continuation education program may establish and maintain evening high school programs in grades 9 to 12, inclusive, for minors subject to Section 12101.

***Days and Hours in Session*** [EC51721]

EC5671. Notwithstanding any other provision of law, a governing board to which this article applies may establish the number of, and the specific days of the week on which such a program shall be in session. The governing board may further prescribe the number of hours during which the program shall be in session.

***Attendance: Voluntary; Written Permission*** [EC51723]

EC5673. The attendance of a minor at an evening high school program shall be voluntary, but the written permission of the minor's parent or guardian is required.

***Crediting of Attendance*** [EC51724]

EC5674. The attendance of a pupil in an evening high school program shall not result in the crediting of more than one unit of average daily attendance during the regular school year, even if the pupil also attends one or more classes in the regular high schools of the district.

In certain instances high school students may attend community colleges; those instances are identified in the following sections of the Education Code:

***Attendance at Community College of Eleventh and Twelfth Grade Students*** [EC48800]

EC6401. The governing board of any district maintaining a high school may determine which of the students in the 11th and 12th grade of the high school would benefit from advanced scholastic or vocational work. The governing board may authorize such students to attend a community college as special part-time students and to undertake one or more courses of instruction offered at the community college level. The number of students so authorized shall not exceed 15 percent of the number of students in the 11th and 12th grade at the high school at any one time.

***Attendance at High School for Minimum School Day*** [EC48801]

EC6402. Any student authorized to attend a community college as a special part-time student pursuant to Section 6401 shall, nevertheless, be required to attend the high school for the minimum schoolday and to undertake courses of instruction of a scope and duration sufficient to satisfy the requirements of law.

***Crediting of Attendance; Apportionments from State School Fund.*** [EC48802]

EC6403. For purposes of allowances and apportionments from the State School Fund, a community college shall be credited with additional units of average daily attendance attributable to the attendance of high school students at the community college as special part-time students pursuant to this article.

A district maintaining a high school whose 11th and 12th grade students attend a community college pursuant to this article shall, for purposes of allowances and apportionments from the State School Fund, continue to receive credit for attendance by such students computed in the manner prescribed by law, and a student's attendance at the high school for the minimum schoolday shall be deemed a day of attendance for purposes of making the computation.

***Admission of 11th and 12th Grade High School Students*** [EC76001]

EC25503.5. The principal of any two-year community college may admit to the community college as a special part-time student any 11th or 12th grade high school student whose admission is recommended by his high school principal. A principal of a high school may recommend a high school student as a special part-time student pursuant to rules and regulations which may be adopted by the governing board of the district maintaining the high school. A principal of a high school shall not recommend a number of high school students in excess of 15 percent of the total number of 11th and 12th grade students enrolled in the high school at the time of recommendation.

The attendance of a student at community college as a special part-time student pursuant to this section is authorized attendance and the student shall receive credit for community college courses which he completes in the same manner as if he were a regularly enrolled community college student unless, upon agreement between the two districts, the student receives high school credit for the course completed.

Each special part-time student shall attend high school classes for at least the minimum schoolday.

***Admittance of Pupil Who Has Completed 11th Grade to Summer Session; Crediting Summer Session Attendance*** [EC76002]

EC25503.6. The principal of any two-year community college may admit to the summer session of the community college as a special student any high school student who has completed the 11th grade and whose admission to summer session is recommended by the principal of the high school in which the student completed the 11th grade. A principal of a high school may recommend such a student as a special student pursuant to rules and regulations which may be adopted by the governing board of the district maintaining the high school. A principal of a high school shall not recommend a number of students who have completed the 11th grade in excess of 5 percent of the total number of students in the high school who have completed the 11th grade immediately prior to the time of recommendation.

The attendance of a student at community college as a special summer session student pursuant to this section shall be

credited to the district maintaining the community college for the purposes of allowances and apportionments from the State School Fund, and the student shall receive credit for community college courses which he completes, in the same manner as if he were a regularly enrolled community college student.

Sections 25503.5 and 6401 to 6403, inclusive, do not apply to the special students authorized to be admitted to a community college summer session pursuant to this section.

***Permissive Vocational Education Classes*** [EC48810]

**EC5656.5. The principal of any high school may, with the approval of the governing board of the school district, permit 11th and 12th grade students to attend vocational education classes maintained by the community college district in which the high school is located, in accordance with Section 25513.**

***Admittance of 11th and 12th Graders to Vocational Educational Classes*** [EC78009]

**EC25513.** The principal of any two-year community college may admit 11th and 12th grade students to vocational education classes maintained for such pupils who may profit from the instruction and are recommended by the high school principal, provided:

(a) The high school students are enrolled in a high school within the community college district.

(b) A contract is entered into between the governing board of the district maintaining the high school and the district maintaining the community college for the payment of the current expense to the community college district incurred on account of such attendance.

(c) Notwithstanding the provisions of Section 11251 of this code, the hours of attendance of such students is credited to the high school district of enrollment but in no case shall the credited hours of attendance of a student in both attendance centers exceed one day of attendance on any one calendar day.

(d) Scholastic credit for courses completed is at the high school level.

For the purposes of this section, such vocational education classes may be considered to be classes maintained by the high school within the boundaries of the district maintaining the high school.

***Contract to Provide Vocational Education Classes*** [EC78010]

**EC25514. Notwithstanding any provision in this code to the contrary, the governing board of any school district maintaining a high school and the governing board of a community college district may enter into a contract, subject to the approval of the Superintendent of Public Instruction, for the education of community college students in vocational education classes to be conducted for such students by the district maintaining the high school. The average daily attendance of community college students enrolled in such classes, under the provisions of this section, shall be credited to the community college district and college credit may be granted students who satisfactorily complete the course of instruction in such classes.**

The computation of average daily attendance in secondary schools is discussed in the following sections of the Education Code:

***Computation Generally*** [EC46330]

**EC11401.** The average daily attendance in the high schools of a district other than evening high schools, continuation high schools, and continuation education classes, for a fiscal year are the quotient arising from dividing the total number of days of pupils' attendance allowed in the regular day high schools, summer schools, special high school classes, and the part-time vocational courses of the district, exclusive of the number of days of pupils' attendance in the seventh and eighth grades of junior high schools, during the fiscal year by the number of days school was actually taught in the regular day schools of the district during the fiscal year, exclusive of Saturdays or Sundays.

***Computation for Evening High Schools and Continuation Education*** [EC46331]

**EC11402. The units of average daily attendance in the evening high schools, continuation high schools, and continuation education classes of a district for a fiscal year are the quotient arising from dividing the total number of days of pupils' attendance in such high schools and classes by 175.**

***Total Computation*** [EC46332]

**EC11403. The total units of average daily attendance in the high schools of a district shall be total units of average daily attendance computed under Sections 11401 and 11402.**

***Computation for Seventh and Eighth Grades*** [EC46333]

**EC11404. The units of average daily attendance for a fiscal year of pupils residing in any elementary school district and attending the seventh and eighth grades of a junior high school shall be determined separately and shall be computed by dividing the total number of days of pupils attendance in said grades by the number of days school was actually taught during the fiscal year in the regular day high schools of the district maintaining the junior high school the average daily attendance so computed shall be credited to the elementary school district in which the pupils reside.**

***Maximum Credit for Attendance for Grades Thirteen and Fourteen*** [EC76310]

**EC11102.** In any community college district students in 13th- and 14th-grade courses shall not be credited, on a district average, with more than 15 class hours of attendance during any five-day week of each regular semester or quarter, exclusive of attendance at summer schools.

The chancellor's office shall adopt such regulations as may be necessary to carry out the provisions of this section.

Education Code sections 5614 through 5623 provide for the discontinuance of junior high schools. The crediting of a.d.a. in the case of such an event is covered in Education Code Section 5622:

***Crediting Average Daily Attendance*** [EC37082]

**EC5622. The average daily attendance of all eighth grade pupils educated by a high school district pursuant to Sections 5614 to 5623, inclusive, shall be kept separate and credited to the elementary school district in which the pupils reside.**

High school attendance will be reported to the Department of Education on forms J-19-P1, J-19-P2, and J-19-A. Junior high school attendance that is maintained by a high school district will be reported on J-19E-P1, J-19E-P2, and J-19E-A, unless the junior high school is maintained by a unified school district; in that case the attendance for seventh and eighth grades will be reported on forms J-18-P1, J-18-P2, and J-18-A, and the attendance for the ninth grade or higher will be reported on forms J-19-P1, J-19-P2, and J-19-A.

## Attendance Accounting by Program

School districts and offices of county superintendents of schools are authorized to establish and maintain a wide variety of educational programs that do not fit into a particular grade-level structure. These programs are as follows:

- Adult education
- Community service classes
- Continuation schools and classes

- Opportunity schools and classes
- Outdoor science, conservation, and forestry education programs
- Regional occupational centers (ROCs) or programs (ROPs)
- Summer schools
- Technical, agricultural, and natural resource conservation schools
- Work-experience programs
- Year-round schools and intersessions

Attendance accounting procedures for these programs are discussed in the pages that follow.

### Adult Education

Classes for adults are established primarily for adults, and at least 51 percent of those enrolled in adult classes shall be adults.

The definition of an adult for purposes of crediting attendance is in Education Code Section 5756:

**Definition of "Adult"** [EC52610; 78460]

EC5756. "Adult," for purposes of this section, means a person 18 years of age and older or a person who is not concurrently enrolled in a regular high school program. However, persons 18 years of age or older who are concurrently enrolled in a regular high school program are not adults for purposes of this section. Adults enrolled in any classes maintained by high school or unified school districts or county superintendents of schools pursuant to Sections 7450 through 7466, 45040, 45041, 45042, and 45043 shall be reported separately, and the adult foundation program shall be used in computing district apportionments.

**Attendance in Community Colleges; Computation** [EC78460.5]

EC5756.1. The attendance of adults in community college districts shall be computed in the same manner as the attendance of any other community college student.

The provisions of the California Administrative Code, Title 5, Education, pertaining to classes for adults are as follows:

5CAC10500. **Scope.** (a) The provisions of this chapter apply to all adult schools and to all classes for adults maintained by high school districts and unified school districts.

(b) As used in this division:

(1) "Adult schools" includes evening high schools.

(2) "Bureau" means Bureau of Adult Education of the State Department of Education or its successors.

5CAC10507. **Attendance and Enrollment.** (a) **General.** The attendance of persons not regularly enrolled in a class shall not be counted. A person is regularly enrolled in a class only when his enrollment has been entered on forms which meet the requirements of the bureau or Superintendent of Public Instruction. Sign-up sheets used at a class session for attendance-keeping purposes do not constitute regular enrollment.

(b) **Supplementary Lectures.** In classes for adults in which lectures are used to supplement the instructional work of the teacher regularly employed to teach the class, only the attendance of those persons regularly enrolled in the class and in attendance shall be credited to the district for apportionment purposes.

(c) **Classes in Physical Education and Crafts.** Attendance in physical education classes and classes in crafts shall not be counted under the circumstances described in Sections 10540(i) and 10541(c) respectively. (See also restrictions in Sections 10542 and 10543 concerning attendance in forum series or lectures series.)

5CAC10508. **Records and Reports.** (a) The authorities of each school district maintaining adult schools and classes for adults shall keep such records and shall make such reports relating to such schools and classes as may be required by the bureau or Superintendent of Public Instruction.

(b) Course outlines in all subjects shall be on file on forms prescribed by the bureau and be subject to inspection.

5CAC10531. **Duration.** An adult school shall be conducted for not less than two hours per day for not less than four days each week for not less than 128 days during a school year.

5CAC10540. **Classes in Physical Education.** (a) Classes for adults in physical education shall include only those organized primarily for instruction to:

(1) Develop individual and public safety through swimming and life saving.

(2) Develop leaders in physical and recreational education.

(3) Provide education for improved posture, efficient body movement, and physical conditioning.

(b) For apportionment purposes, no classes for adults in dancing or recreational physical education shall be approved.

(c) Recreational physical education is defined as that phase of the activity program organized primarily for adult participation as a recreational outlet. Included in this definition are all classes organized primarily for participation in sports and games. This does not apply to classes organized under (a).

(d) Such facilities, equipment, and supplies shall be provided as will insure an appropriate instructional program including laboratory experience. Adequate dressing rooms, towels, and hot and cold showers shall also be provided.

(e) The number in attendance in any one class shall be held to an optimum student-teacher ratio according to the type of instruction. The bureau shall publish to schools maintaining classes the maximum limits prescribed for each type of instruction.

(f) All applications for approval of physical education classes shall be accompanied by evidence that the program is instructional. Requests for approval shall include the following information on forms prescribed by the bureau:

(1) Purpose of course.
(2) Instructional units (in detail).
(3) Hours planned for each unit.
(4) Maximum student-teacher ratio permitted.
(5) Methods and procedures to be used.

(g) The instructional units for each course shall be approved by the bureau.

(h) The bureau shall prescribe the maximum number of hours allowed for the completion of approved instructional units. The bureau shall publish to all districts maintaining classes for adults in physical education the limitations that have been determined.

(i) Attendance of persons who have completed the maximum number of hours allowed for an approved course in physical education shall not thereafter be counted in such course.

5CAC10541. **Crafts.** (a) In any field of crafts, including leather, clay, plastic, metals, and needle craft, the course outlined on file as required in 121(b) shall include a statement stipulating the maximum number of hours allowed for the course.

(b) The request for approval of each course must include a statement of the maximum number of hours allowed for its completion. The maximum number of hours allowed for completion is subject to approval of the bureau.

(c) Attendance of persons who have completed an approved course in a craft shall not thereafter be counted in such course.

5CAC10542. **Forum Series.** (a) A "forum series" as used in this section is a class for adults which provides for the free discussion of public affairs under qualified leadership.

(b) A forum series shall be conducted in such a manner as to provide opportunity for active participation in discussion by the members. Enrollment in a forum series shall be limited for the purpose of insuring such participation.

(c) Each forum series must comprise at least four class sessions relating to the same general topic. Not more than one session in the same forum series shall be held during the same day.

(d) The subject for discussion at any class session may be presented by the regular forum leader or by other qualified persons, but in

either case the forum leader shall be responsible for the leadership and guidance of discussion.

(e) Each forum series shall be submitted for approval to the bureau and must be approved by the bureau prior to the first meeting of the forum series in order for attendance upon class sessions of the forum series to be credited for purposes of the apportionment of school funds.

(f) Each class session of a forum series shall be of evident educational value. Attendance upon any class session of a forum series which is primarily for entertainment purposes or which is conducted for the general public rather than for regularly enrolled members of the forum series shall not be credited for apportionment purposes.

(g) Each forum series shall be conducted under the general supervision and direction of an employee of the school district who is legally certificated for such service.

(h) The number of persons attending each class session of a forum series shall be limited to a number which will permit effective participation in discussion by the members of the forum series. Only the attendance of those persons who are regularly enrolled in a forum series and who attend the sessions shall be credited to the district for apportionment purposes.

(i) If the attendance at any two consecutive class sessions of a forum series exceeds 400 persons, the principal of the school maintaining the forum series shall immediately notify the bureau, presenting an estimate of the probable attendance at subsequent class sessions of the forum series and such other information as the bureau shall require. The bureau shall thereupon review the evidence and determine whether:

(1) The attendance shall be reduced.
(2) A second forum series shall be organized.
(3) The forum series shall be permitted to continue with the attendance for apportionment purposes limited in accordance with directions outlined by the bureau.

5CAC10543. **Lecture Series.** (a) Lecture series on topics not related to public affairs shall be reported to the bureau prior to the first meeting of any series.

(b) All members of the group whose attendance is counted must be regularly enrolled.

(f) No person shall be counted in attendance in a lecture series who has not been in attendance for at least two sessions of the approved series.

Additional instructions for attendance accounting in classes for adults are contained in the following sections of the Education Code:

***Adult Evening Classes: Admission of Minors*** [EC52500; 78400]

EC5701. Adult schools and evening high schools shall consist of classes for adults. Minors may be admitted to such classes pursuant to Section 5706.

***Admission of Adults and Minors*** [EC48040; 78403]

EC5706. Adult schools and evening high schools shall be open for the admission of adults and of such minors as in the judgment of the governing board may be qualified for admission thereto.

***Maintained in Conjunction With Other Schools or Centers*** [EC52512; 78410]

EC5716. **Classes for adults may be maintained in conjunction with day or evening high schools, day or evening community colleges, day or evening adult schools, or day or evening regional occupational centers.**

***Weekend Classes*** [EC52513]

EC5717. The governing board of any high school district or unified school district may provide for the maintenance on Saturday and Sunday of classes for adults.

***Day of Attendance and Maximum Credit*** [EC46190; 76320]

EC11151. In classes for adults, a day of attendance is 180 minutes of attendance but no student shall be credited with more than 15 clock hours of attendance during any one school week unless he is enrolled in a class in elementary subjects, a class for which high school credit is given, a class in English for foreigners, a class in citizenship, or a class in a trade or industrial subject as trade or industrial subject is defined by the State Board of Education for grades 7 to 12, inclusive, or by the chancellor's office for community colleges.

Average daily attendance is computed and reported according to the following guidelines:

***Computation*** [EC46350]

EC11501. The units of average daily attendance in classes for adults for a fiscal year maintained by a district, other than a community college district, shall be computed by dividing the total days of pupils' attendance in such classes during the fiscal year by 175. The units of average daily attendance in classes for adults for a fiscal year maintained by a community college district shall be computed as set forth in Section 11476.5.

When computing from an hourly base, take the total hours for all pupils (not to exceed 15 hours in any school week for any one pupil, except as noted in Education Code Section 11151, which appears on this page) and divide by 525. Dividing by 525 will give the amount of annual a.d.a. generated.

All attendance for approved classes for adults is reported for apportionment purposes by the day or evening high school principal on the high school principal's annual and period reports, forms J-19-P1, J-19-P2, and J-19-A.

Two adult pupil classifications are separated for apportionment purposes on the J-19 series reports. These classifications are (1) those students who are concurrently enrolled in a regular public high school program; and (2) those students who are not concurrently enrolled in such a program.

Each pupil's attendance in approved classes for adults shall be recorded in hours, and no absence less than a full clock hour shall be charged. Absence due to illness or other reasons stated in Education Code Section 10953 may not be credited for apportionment purposes.

Classes in adult education programs which have more than 50 percent enrollment by high school students, regardless of the time of day that the classes are offered, are extended day classes. If the pupils enrolled and in attendance in such classes have already been in the regular day school for the minimum day, they do not generate additional a.d.a. (Department of Education memorandum, December 7, 1970; Department of Education opinion, May 12, 1970)

Classes for adults maintained during the summer are not to be reported as summer school classes.

### Community Service Classes

The entire cost of financing community service classes is the responsibility of the school district conducting such classes. Therefore, according to Education Code Section 6323, the attendance in such classes is not reported to the Department of Education for apportionment purposes:

***No Apportionment from State Funds*** [EC51814; 78304]

EC6323. **Attendance or average daily attendance in community service classes pursuant to this article shall not be reported to the State Department of Education for apportionment. No apportionment from state funds shall be made to establish or maintain such classes.**

Nevertheless, the Department of Education requires that attendance records be maintained and that at the end of each school year a special report (Form J-21) be filed to summarize attendance in community service classes. The Form J-21 is submitted as a supplement to the annual report on Form J-19-A. Essentially, attendance reporting for community service classes is the same as at all levels of secondary education.

## Continuation Schools and Classes

The following sections of the California Administrative Code, Title 5, Education, and the Education Code pertain to the establishment and operation of continuation schools and classes:

**5CAC11001. Programs of Guidance, Placement, and Follow-up.** The guidance, placement, and follow-up services are to be provided on a regular basis and shall include the following:

(a) **Personal Guidance.** All pupils shall be provided with individual counsel in matters affecting their personal, social, and educational adjustment.

(b) **Occupational Guidance.** All pupils shall be provided with necessary occupational information that individually and realistically prepares them for future employment opportunities.

(c) **Placement.** All pupils shall be assisted in securing suitable employment whenever the pupil can benefit from such employment.

(d) **Follow-up.** The district shall provide all pupils with follow-up services as follows:

(1) Visitation of employed pupils at places of employment to determine the effectiveness of the guidance and placement services.

(2) Regular home contacts and parent conferences in cases where a student is not succeeding in a continuation program.

(3) Regular contacts with all students enrolled only 4 hours per week and all pupils suspended from continuation education with the intent of eventually returning them to the full-time continuation education program.

**5CAC11004. Separate Continuation High Schools.**

(d) A continuation high school shall be conducted for not less than 175 days during a school year.

**5CAC11010. Exemption.** An application for exemption from the requirement of maintaining special continuation education classes, as permitted by Education Code Section 5952, shall describe the district's plan to provide instruction for pupils subject to continuation education. The application shall be submitted to the State Department of Education, Bureau of Elementary and Secondary Education, State Education Building, Sacramento, California, by June 30 for the following school year. If granted, the exemption shall apply to that school year only.

***Establishment and Maintenance of Continuation Classes for Minors*** [EC48432]

**EC5952. The governing board of each high school district and each unified school district shall establish and maintain within its boundaries special continuation education classes and may establish and maintain regional occupational centers or programs, in accordance with the provisions of Section 7451, whenever there are any minors residing within the district who are subject to compulsory continuation education; provided, that if there are fewer than 100 students enrolled in grade 12 in any school of the district maintaining that grade, the governing board of the district may apply to the State Department of Education for exemption of that school from the requirements of this section and such exemption may be granted in accordance with rules and regulations that shall be adopted by the State Board of Education to govern the granting of the exemptions. An exemption may also be granted to schools having an enrollment of more than 100 pupils in grade 12 if the district seeking the exemption has entered into an agreement with another high school district or unified school district to maintain special continuation education classes for minors residing in either of the districts, but shall not be granted if the agreement would make it necessary for such minors to travel an excessive distance from their homes to the continuation education classes.**

**If there is a regional occupational center or program as provided in Chapter 14 (commencing with Section 7450) of Division 6 within a county, the governing board of any school district within that county may enroll minors, otherwise subject to, and in lieu of, continuation education, in the center or program in accordance with the provisions of Section 7455.**

***Minimum Weekly Hours of Instruction*** [EC48433]

**EC5953. Special continuation education classes or classes conducted by a regional occupational center or any combination thereof shall provide at least four 60-minute hours of instruction per week for each minor within the high school district who is subject to compulsory continuation education.**

***Hours When Classes Are Maintained*** [EC48434]

**EC5954. (a) Except as otherwise provided in subdivision (b), such classes shall be maintained between the hours of 8 a.m. and 5 p.m. If the governing board of the school district determines that the special needs of the community or pupils require it, such classes may be maintained until 6:30 p.m.**

**(b) If the school district maintains classes for adults, the governing board of the school district may maintain continuation education classes during such hours and for such length of time during the day or evening as the classes for adults are maintained.**

***Minimum School Day for Continuation Education*** [EC46170]

**EC11053. In continuation high schools and continuation education classes, a day of attendance is 180 minutes of attendance but no pupil in any such school or class shall be credited with more than 15 hours of attendance in any calendar week.**

***Computation for Evening High Schools and Continuation Education*** [EC46331]

**EC11402. The units of average daily attendance in the evening high schools, continuation high schools, and continuation education classes of a district for a fiscal year are the quotient arising from dividing the total number of days of pupils' attendance in such high schools and classes by 175.**

***Weekly Minimum Attendance Requirement*** [EC48400]

**EC12551.** All persons 16 years of age or older and under 18 years of age, not otherwise exempted by this chapter, shall attend upon special continuation education classes maintained by the governing board of the high school district in which they reside, or by the governing board of a neighboring high school district, for not less than four 60-minute hours per week for the regularly established annual school term. Such minimum attendance requirement of four 60-minute hours per week may be satisfied by any combination of attendance upon special continuation education classes and regional occupational centers or programs.

***Minors Not Regularly Employed*** [EC48402]

**EC12553.** Whenever a minor subject to the provisions of this chapter, who is not otherwise exempted by this chapter, cannot give satisfactory proof of regular employment he shall attend, for not less than 15 hours per week, special continuation education classes during the period of unemployment. The minimum attendance requirement of 15 hours per week may be satisfied by any combination of attendance upon special continuation education classes and regional occupational centers or programs.

***Persons Exempted From Continuation Classes*** [EC48410]

**EC12601.** There are exempted from compulsory attendance in continuation education classes as otherwise required by Sections 12551 and 12553, persons who:

(a) Have been graduated from a high school maintaining a four-year course above the eighth grade of the elementary schools, or who have had an equal amount of education in a private school or by private tuition.

(b) Are in attendance upon a public or private full-time day school, or satisfactory part-time classes maintained by other agencies.

(c) Are disqualified for attendance upon these classes because of their physical or mental condition, or because of personal services that must be rendered to their dependents.

(d) Are satisfactorily attending a regional occupational program or center as provided in Section 5952.

(e) Have successfully demonstrated proficiency equal to or greater than standards as established by the Department of Education pursuant to Section 12603, and have verified approval submitted by their parent or guardian.

(f) Are subject to Section 12551 but not Section 12553 and are in attendance upon classes for adults for not less than four clock hours per calendar week.

The additional requirements for continuation schools and classes are discussed in the paragraphs that follow.

If a school district has not established an opportunity school or class, the district may legally transfer students under age sixteen with disciplinary problems to a continuation school or class (Attorney General Opinion CV 71-232).

Individuals will be accepted into the adult education program only after certification by the school district official who is responsible for the continuation education program from which the student is prevented from participating in because of his or her regular employment. "Regular employment," however, is not defined in law. In general, 30 hours per week would be considered full-time employment. But a district could adopt its own regulations as to what full-time employment means if the employment prevents a student from participating in the continuation education program.

Students should be exempted from compulsory continuation education through the district's regular exemption procedure. A work permit should be issued to the student, and according to district policy either the person responsible for the continuation education program, the issuing authority who signs the work permit, or other designated person should follow up with the adult education administrator to see that the student is attending the adult education classes to which he or she is assigned. If the student fails to attend satisfactorily the four hours per week of adult education classes, his or her work permit should be revoked or the hours worked per week should be reduced. (State Department of Education memorandum, November 30, 1973)

For apportionment purposes pupil attendance is recorded in hours or in actual minutes attended, according to California Administrative Code, Title 5, Education, sections 406 and 407 (see page 12 of this manual). Whenever a pupil is registered for a full hour and is in attendance for any portion of that hour, the pupil is recorded as being in attendance for the full hour. Absence is not recorded unless the pupil is absent for the full hour. Verified absence due to illness or other reasons stated in Education Code Section 10953 may be allowed as attendance in a continuation high school or in continuation classes.

Average daily attendance for continuation high schools *not qualified as necessary small high schools* is reported on Department of Education forms J-19-P1, J-19-P2, and J-19-A.

Whenever the a.d.a. is less than 301 in a separate continuation high school, the "necessary small high school" formulas prescribed in Education Code Section 17664 apply without such school's having to meet the conditions of Education Code Section 17663:

*Necessary Small High School Defined* [EC41707]

EC17663. A necessary small high school for the purposes of Section 17664, is a high school with an average daily attendance of less than 301, or a junior high school with an average daily attendance of less than 75 in grade nine, which comes within any of the following conditions (except that a single high school maintained by a unified district formed under the provisions of Sections 3100 to 3353, inclusive, or formed under Section 1976, or a high school maintained by any district for the exclusive purpose of educating continuation, juvenile hall, physically handicapped, or mentally retarded pupils shall be considered a necessary small high school):

(a) The projection of its future enrollment on the basis of the enrollment of the elementary schools in the district shows that within eight years the enrollment in high school in grades 9 through 12 will exceed 300 pupils.

(b) Any one of the following combinations of distance and units of average daily attendance applies:

(1) The high school had an average daily attendance of less than 100 in grades 9 through 12 during the preceding fiscal year and is more than 15 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 20 miles or 25 percent of the pupils would be required to travel 30 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(2) The high school had an average daily attendance of 100 or more and less than 150 in grades 9 through 12 during the preceding fiscal year and is more than 10 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 18 miles or 25 percent of the pupils would be required to travel 25 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(3) The high school had an average daily attendance of 150 or more and less than 200 in grades 9 through 12 during the preceding fiscal year and is more than 7½ miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 15 miles or 25 percent of the pupils would be required to travel 20 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(4) The high school had an average daily attendance of 200 or more and less than 300 in grades 9 through 12 during the preceding fiscal year and is more than five miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 10 miles or 25 percent of the pupils would be required to travel 15 miles to the nearest other public high school.

(c) Topographical or other conditions exist in the district which would impose unusual hardships on the pupils if the number of miles specified above were required to be traveled. In these cases, the Superintendent of Public Instruction may, when requested, and after investigation, grant exceptions from the distance requirements.

(d) The Superintendent of Public Instruction has approved the recommendation of a county committee on school district organization designating one of two or more schools as necessary isolated schools in a situation where the schools are operated by two or more districts and the average daily attendance of each of the schools is less than 300 in grades 9 through 12.

***Foundation Program for High School District With Small Schools*** [EC41711]

EC17664. (a) For each district on account of each necessary small high school the Superintendent of Public Instruction shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount:

| Average daily attendance | Minimum number of certificated employees | Amount to be computed |
|---|---|---|
| 1– 20 | less than 3 | $16,520 per teacher |
| 1– 20 | 3 | 83,760 |
| 21– 40 | 4 | 100,280 |
| 41– 60 | 5 | 116,800 |
| 61– 75 | 6 | 133,320 |
| 76– 90 | 7 | 149,840 |
| 91–105 | 8 | 166,360 |
| 106–120 | 9 | 182,880 |
| 121–135 | 10 | 199,400 |
| 136–150 | 11 | 215,920 |
| 151–180 | 12 | 232,440 |
| 181–220 | 13 | 248,960 |
| 221–260 | 14 | 265,480 |
| 261–300 | 15 | 282,000 |

(b) For each district on account of each small high school not determined to be a necessary small high school under Sections 17663, 17663.5, and 17663.7, he shall make one of the following computations, whichever applies:

(1) If the total of the units of average daily attendance in the district during the fiscal year is less than 301, he shall multiply the units of average daily attendance during the fiscal year in the school by nine hundred forty dollars ($940).

(2) If the total of the units of average daily attendance in the district during the fiscal year is more than 300, he shall multiply the units of average daily attendance during the fiscal year in the school by nine hundred fifty dollars ($950).

For the purposes of this section a "certificated employee" is an equivalent full-time position of an individual holding a credential authorizing service, and performing service in grades 9 through 12 in any secondary school. Any fraction of an equivalent full-time position shall be deemed to be a full-time position.

The foundation program established by this section for high schools with an average daily attendance of less than 301 shall not apply to any high school established after July 1, 1961 unless the establishment of such schools has been approved by the Superintendent of Public Instruction.

The principal of each separate continuation high school prepares and files the high school principal's annual and period reports (Department of Education forms J-19-P1, J-19-P2, and J-19-A) in the manner prescribed in the instructions on the forms. A separate J-form should be completed for each necessary small continuation high school.

Average daily attendance for pupils enrolled in continuation classes, as reported on Department of Education forms J-19-P1, J-19-P2, and J-19-A, is computed by dividing the total days of attendance in such classes by 175, regardless of the number of days school is maintained in the full-time day schools of the district.

The Department's *Handbook on Continuation Education in California* should be reviewed for further information relating to continuation education.

## Opportunity Schools and Classes

Education Code Section 11075 establishes the minimum day and attendance crediting requirements for opportunity programs:

***Minimum Day for Opportunity School; Attendance*** [EC46180]

**EC11075. The minimum day in an opportunity school or opportunity class is 180 minutes. A pupil may be enrolled in an opportunity program for not less than a class period of the school, nor more than 179 minutes per day. Attendance for a pupil enrolled in an opportunity program shall be credited to the regular class attendance.**

**A pupil who is enrolled in both an opportunity program and a regular school, shall attend school for a period of time not less than the minimum schoolday required for the grade level in which he is enrolled.**

Provisions are made to report the attendance in opportunity schools and classes on forms J-18-P1, J-18-P2, J-18-A, J-19-P1, J-19-P2, and J-19-A.

## Outdoor Science, Conservation, and Forestry Education Programs

Programs in outdoor science, conservation, and forestry education are authorized by the following sections of the Education Code:

***Authorization of Outdoor Science and Conservation Programs*** [EC8760]

**EC6011. The governing board of any school district may:**

**(a) Conduct programs and classes in outdoor science education and conservation education within or without the boundaries of the school district and for that purpose employ instructors, supervisors, and other personnel and provide necessary equipment and supplies.**

**(b) Acquire and maintain real or personal property needed for outdoor science education and conservation education programs and classes either within or without the boundaries of the school district either by purchase, rental, lease, gift, or other means in the same manner as if the property were within the boundaries of the school district.**

**(c) Contract with the United States, the State of California, any city, county, city and county or school district therein, or any combination thereof for the joint operation and maintenance of such programs and classes in outdoor science education and conservation education or for assistance in their operation and maintenance.**

**(d) Transport or arrange transportation of pupils, instructors, supervisors or other personnel to or from places where such programs and classes are being conducted, whether within or without the district; provided, such transportation is within the state.**

***Outdoor Science Program Involving Marine Science*** [EC8761]

**EC6011.2. Notwithstanding any other provision of this code, whenever an outdoor science program involves studies in marine science, the governing board of any school district or a county superintendent of schools may transport, or arrange transportation of, pupils, instructors, supervisors, or other personnel aboard U.S. Coast Guard approved vessels in the waters of the Pacific Ocean for distances not to exceed five miles westerly of any offshore island which is a part of the State of California.**

***Authorization of Forestry Programs*** [EC8762]

**EC6012. The governing board of any school district may:**

**(a) Conduct courses in forestry, and for that purpose employ instructors and supervisors of classes, and acquire necessary equipment.**

**(b) Acquire forest lands outside the boundary of the district by lease for a period not exceeding five years, or purchase or sell such lands in the same manner as lands within the boundary of the district are purchased or sold.**

**(c) Afforest and reforest, and plant trees, shrubs, and vines on such lands; or upon any public lands which may be placed at its disposal, and enter into contracts and agreements with the government of the United States, the state, or any political subdivision thereof for such purpose.**

**(d) Transport pupils, instructors, or supervisors of classes to or from classes or places where such work is being done, whether within or without the district, in the same manner and subject to the same limitations as in transporting pupils to and from school.**

***Agreements to Provide Forestry Programs*** [EC8763]

**EC6013. The county superintendent of schools may, with the approval of the county board of education, enter into agreements with the governing board of one or more school districts to provide programs and classes in outdoor science education and conservation education for pupils in the district. Except as otherwise provided in this article, the agreement shall provide for the payment by the district of the actual cost of providing such programs or classes. The county superintendent of schools shall transfer from the funds of the district to the county school service fund the amounts set forth in the agreement.**

It is suggested that attendance be recorded in field books while outdoor classes are in the field and then transferred to the regular, permanent attendance records when pupils return to regular classes.

Attendance is credited to the district, and it pays the actual cost of training by transferring funds to the County School Service Fund.

### Regional Occupational Centers or Programs

The attendance accounting procedures specifically related to regional occupational centers and programs (ROCs/ROPs) are discussed here in response to questions frequently asked. It is assumed from the beginning of the discussion that students must be enrolled in ROCs/ROPs pursuant to the regional concept outlined in Education Code Section 7451 and California Administrative Code, Title 5, Section 11504 (1).

*Minimum day.* ROPs were first established in segments of full hours only. More recently, ROPs have been commonly scheduled according to regular high school time schedules in which class sessions are not necessarily held in segments of a full hour. Laws and regulations governing ROPs do not equate class sessions with hours unless the class sessions are actually 60 minutes in duration. Therefore, in an ROP where only one course, class, or section is being considered for the program, the course, class, or section shall be scheduled for 60 minutes, the minimum for an ROP. In an ROP in which multiple courses are offered, any course, class, or section may be scheduled for fewer than 60 minutes if the sum of the scheduled instructional time equals or exceeds 60 minutes.

Education Code Section 7461 states:

***Credit for Regional Occupational Program Attendance*** [EC52325]

**EC7461. Any district or county superintendent who operates a 60-minute regional occupational program shall be credited with one-third of a unit of average daily attendance for each student in a 60-minute regional occupational program and two-thirds of a unit of average daily attendance in a 120-minute program.**

Education Code Section 7462 states:

***Minimum Schooldays for Regional Occupational Centers and Programs*** [EC52326]

**EC7462. The minimum day in a regional occupational center is 180 minutes and the minimum day in a regional occupational program is 60 minutes.**

*Categories for reporting.* There are two distinct categories of regional occupational centers and programs, each bearing different requirements for attendance accounting. The categories are (1) adults; and (2) concurrently enrolled students.

1. Adults (nonconcurrently enrolled students). Adults are defined as all students not concurrently enrolled in a regular high school program. This classification includes but is not limited to students in private schools, graduated students, exempted or expelled students, and students enrolled exclusively in ROCs/ROPs. Education Code Section 5756 states:

**Definition of "Adult"** [EC52610;78460]

**EC5756. "Adult," for purposes of this section, means a person 18 years of age and older or a person who is not concurrently enrolled in a regular high school program. However, persons 18 years of age or older who are concurrently enrolled in a regular high school program are not adults for purposes of this section. Adults enrolled in any classes maintained by high school or unified school districts or county superintendents of schools pursuant to Sections 7450 through 7466, 45040, 45041, 45042, and 45043 shall be reported separately, and the adult foundation program shall be used in computing district apportionments.**

2. Concurrently enrolled students. Students in this category include regular high school students; students enrolled in continuation education classes; and physically handicapped students who have graduated.
   a. Students enrolled in regular classes. These students are defined as (1) students enrolled in a regular public high school for at least a 240-minute minimum day (except seniors in their second semester; see Education Code Section 11056); and (2) students enrolled in a regular public high school for at least 180 minutes if transportation to an ROP requires 30 or more minutes. Education Code Section 7455.5 states:

***Excuse from Attending Physical Education Classes*** [EC52316]

**EC7455.5. Any pupil enrolled in grade 10, 11, or 12, and who is also attending a regional occupational center or regional occupational program may be excused from attending courses in physical education by the governing board of the school district maintaining grade 10, 11, or 12, and in which the pupil is enrolled, if attendance upon such classes results in hardship because of travel time involved.**

**If a pupil is excused from physical education classes pursuant to this section, the minimum schoolday for him in his regular high school is 180 minutes.**

   b. Students enrolled in a regular public school continuation education program. These students may satisfy their minimum week requirements in any combination of ROC/ROP. However, there must be some regularly scheduled participation in the continuation school instructional program to maintain the concurrent status. Education Code Section 12551 states:

***Weekly Minimum Attendance Requirement*** [EC48400]

**EC12551. All persons 16 years of age or older and under 18 years of age, not otherwise exempted by this chapter, shall attend upon special continuation education classes maintained by the governing board of the high school district in which they reside, or by the governing board of a neighboring high school district, for not less than four 60-minute hours per week for the regularly established annual school term. Such minimum attendance requirement of four 60-minute hours per week may be satisfied by any combination of attendance upon special continuation education classes and regional occupational centers or programs.**

c. Graduated physicaliy handicapped students. Education Code Section 7455.3 states:

***Admission of Certain Handicapped Persons*** [EC52315]

**EC7455.3.** Any visually handicapped, orthopedically handicapped, or deaf person who has been graduated from high school may attend a regional occupational center or regional occupational program on the same basis as a high school pupil. Additional special instruction and support services shall be provided to such persons.

If the Superintendent of Public Instruction determines that there would be a duplication of effort to such handicapped persons if a regional occupational center or regional occupational program provided services to such persons, in that other programs exist that are available to such persons, the superintendent may disapprove of the curriculum to provide programs to such persons pursuant to Section 7451.7 and of any state funding made available pursuant to Section 18105 for such purposes.

*Creditable attendance.* For the crediting of a.d.a., both approval of courses and certain provisions regarding actual instructional time are required.

1. Approval of courses. As stated in California Administrative Code, Title 5, Education, sections 11502 and 11503, authorized approval of ROC/ROP courses is required before a.d.a. can be credited. This requirement is satisfied by means of Form No. VE-77, Application for ROC/ROP Course Approval. This approval document establishes the amount of course time that must be offered to students. A.d.a. credit that is not in agreement with the approval is prohibited.

   California Administrative Code, Title 5, Education, Section 11502, states:

**5CAC11502. Applications for Establishment of Regional Occupational Centers or Regional Occupational Programs.** County Superintendents or cooperating school districts desiring to establish a Regional Occupational Center or a Regional Occupational Program shall submit an application to the State Board of Education that includes such detail as to both explain and justify the intended operation, including compliance with all requirements in this Chapter and those delineated in Chapter 14 of Division 6 of the Education Code.

   California Administrative Code, Title 5, Education, Section 11503, states:

**5CAC11503. Course Approval.** The curriculum provided by a Regional Occupational Center or a Regional Occupational Program shall be subject to the approval of the State Department of Education and shall comply with all requirements and standards set forth in the California State Plan for Vocational Education and this Chapter.

2. Actual instructional time. California Administrative Code, Title 5, Education, Section 406, agrees with an earlier concept of ROP attendance as credited only on an hourly basis:

**5CAC406. Attendance Reported by Clock Hour.** Attendance shall be reported in clock hours for the following:

(a) Pupils enrolled for less than the minimum school day.
(b) Pupils in classes for adults wherever held pursuant to the Education Code.
(c) Pupils enrolled in work experience programs.
(d) Pupils in continuation education schools or classes.
(e) Pupils in regional occupational centers or regional occupational programs.
(f) Pupils in summer schools.
(g) Physically handicapped pupils.
(1) Adults and minors receiving individual instruction in home or hospital.
(2) Pupils sixteen years of age or over who are enrolled in an occupational training program, i.e., sheltered workshop, pursuant to Education Code Section 11201.
(h) Educationally handicapped minors receiving individual instruction in home or hospital or children's institution pursuant to Education Code Section 11227.

The students registered and in attendance in a certain class may be credited with only the scheduled and approved instructional time for the ROP classes. The time must, in some cases, be reduced to fractional hours according to a formula: instructional time divided by 60 equals whole or fractional hours.

Concurrently enrolled students may be credited with actual attendance if they are absent because of reasons specified in Education Code Section 10953. These reasons include illness, quarantine, medical appointments, bereavement, and jury duty. On the other hand, nonconcurrently enrolled students may be credited only with actual attendance up to the limit of the ROC/ROP contract. Makeup attendance for absences may be credited only to the limit given in the course approval. The makeup work must be under the supervision of a qualified teacher for the specific class or subject.

*Passing time.* A maximum of ten minutes of passing time between ROC/ROP courses or classes may be credited as instructional time for the student. (For instance, a total of 1 5/6 hours (110 minutes) may be credited for two classes of 50 minutes each with 10 minutes passing time; or 2 5/6 hours may be credited for three such consective classes.) Where a single ROC/ROP course or class is scheduled for a double period of 110 minutes (same bell schedule as two periods of 50 minutes each plus 10 minutes of passing time), 1 5/6 hours shall be recorded. No instructional time may be recorded for any period of time necessary to pass between a regular class and an ROC/ROP class because the regular program and ROC/ROP are separate entities.

*Partial absence.* If a concurrently enrolled or nonconcurrently enrolled student initiates a partial unauthorized day or session absence, the time of absence for that instructional hour may be credited as attendance. California Administrative Code Title 5, Education, Section 404, states:

**5CAC404. Pupils Whose Attendance Is Reported by Clock Hour.** Subject to the provisions of Sections 402 and 405, a pupil enrolled in a class described in Section 406 is deemed present, and he shall not be counted or recorded as absent for apportionment purposes, unless he is absent the entire clock hour.

If, however, the student's day is shortened because of an administrative action, only the actual instructional time may be reported as attendance.

*Maximum number of hours per student.* Students may generate hours of apportionment attendance daily without limit, pursuant to Education Code Section 11051, except under the following conditions:

1. Students enrolled in cooperative vocational education. California Administrative Code, Title 5, Education, Section 10104, states:

5CAC10104. **Student Qualifications.** In order to qualify for participation in Cooperative Vocational Education a student shall:

(a) Be at least 16 years of age.

(b) Be a full-time student. For the purpose of this section, a full-time student means one of the following:

(1) A student who is required to attend school pursuant to Chapter 7 (commencing with Section 12551) of Division 9 of the Education Code.

(2) A student enrolled in a regional occupational center or regional occupational program pursuant to Chapter 14 (commencing with Section 7450) of Division 6 of the Education Code.

(c) Obtain parental or guardian approval if less than 18 years of age.

(d) Obtain teacher-coordinator approval.

These students are limited to three hours of attendance per day regardless of other courses. (See Education Code Section 11251 [b].)

2. The attendance is within the scope and authorization given with the course approval. If, for instance, the class or session was authorized to offer two hours daily, the student may not be given attendance credit exceeding that specific amount. However, if a student were enrolled in several courses, each keeping within its contract constraints, there is no maximum limitation (except as in cooperative vocational education).

*Attendance accounting responsibility.* Persons in schools, school districts, and offices of county superintendents of schools are responsible for attendance accounting in ROCs/ROPs:

1. Responsibilities of teachers. Teachers are responsible for recording and reporting student attendance correctly in ink. California Administrative Code, Title 5, Section 400 (a) indicates that if the State School Fund is fairly and equally apportioned, then the primary source of the attendance records must be an auditable record. Section 401 (d) states that "in all classes for adults, continuation schools and classes, and regional occupational centers and programs, attendance shall be reported to the principal at least once each week."

2. Responsibilities of program administrators. It is implied in Section 401 that the principal or program administrator must inspect or supervise the maintenance of the attendance accounting records. Further, as in all State School Fund categories, the reports are summarized at the end of each established school month. The school months are in turn summarized and reported pursuant to Education Code Section 17601 (e).

   The a.d.a. is, therefore, developed in the first report period for all school months ending between April 15 and December 31. The second report establishes the final a.d.a. for all school months ending between April 15 of one year and April 15 of the next. The annual report, due at the end of the fiscal year (June 30), reports the ROC/ROP a.d.a. but for a different period of time (July 1 through June 30). This a.d.a. is not directly related to the apportionment process; it establishes the information needed for an adequate State School Fund to be authorized.

3. Responsibilities of staff members at the county level. If the office of a county superintendent of schools administers an ROP, the office reports the program's a.d.a. district by district on a supplemental form. Each district must use the funds received only for the ROP in accordance with Education Code Section 7459.

4. Responsibilities in joint power agreements. In joint power agreements established for ROCs/ROPs, a.d.a. reports are made in the same manner as at the county level of administration except that the school district responsible for the administration of attendance accounting develops and submits the supplemental attendance reports on behalf of the other districts. When the reports reach the Bureau of School Apportionments and Reports, State Department of Education, they are processed, and credit is given to each district.

**Annual Operating Funds from Participating School Districts; Reserves for Cash Flow Needs and Contingencies** [EC52321]

EC7459. A regional occupational center or program established and maintained by county superintendent of schools or pursuant to a joint powers agreement pursuant to the provisions of Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code shall receive in annual operating funds from each of the participating school districts an amount per unit of average daily attendance equal to the revenue limit received by such districts for each unit of average daily attendance generated in the regional occupational center or program. . . .

*Interdistrict agreements.* ROCs/ROPs have the authority to enter into interdistrict agreements pursuant to the limitation and governance issues described in Education Code sections 7455, 7464, 7465, and 7466. These sections establish the practice and procedures with neighboring districts, counties, states, or countries.

### Summer Schools

The following sections of the California Administrative Code, Title 5, Education, and the Education Code pertain to summer schools:

5CAC11470. **Application of Chapter.** This chapter applies to all summer schools, except classes for adults, adult schools, and evening high schools.

5CAC11474. **Time and Duration.** (a) Summer schools shall meet the following time requirements:

| | |
|---|---|
| (1) Kindergarten | Not less than 180 * minutes per day including recesses for not less than 20 teaching days |
| (2) Elementary (grades 1-8) | Not less than 200 * minutes per day (including recesses and passing time but excluding noon intermissions) for not less than 20 teaching days |
| (3) High school (grades 7-12) | Not less than 240 minutes per day (including passing time but excluding noon intermissions) for not less than 20 teaching days |

Exemptions from the requirements of this section may be made by the Superintendent of Public Instruction upon petition submitted to him by the district. The basis for the exemption shall be agricultural labor factors, climatic conditions, specialized educational programs, and other conditions appearing to the Superintendent of Public Instruction to warrant exemption.

(b) For the purposes of this section, holidays designated in Education Code Section 5201 other than Saturday and Sunday may be deducted from the required number of teaching days.

5CAC11475. **Work Experience Education.** (a) Summer schools offering work experience education shall:

(1) Comply with the provisions of Article 5 (commencing with Section 10070) of Chapter 1 of Division 10 of this code.

(2) Conduct the program concurrently with the rest of the district's approved summer school program.

(3) Maintain a student-certificated coordinator ratio of not more than 25 students per certificated coordinator hour.

(4) Provide for a minimum of 180 minutes of group and individualized related instruction each week in work experience education.

(5) Grant a maximum of ten units of credit.

(b) No pupil, including those also enrolled in other summer school classes, in a summer school work experience education program or class shall be credited with more than one day of attendance in any calendar day.

*Summer School; "Academic Year" Defined* [EC37250]

EC5554. **The governing board of a district maintaining one or more high schools may maintain a summer school at any of such high schools during the period between the close of one academic year and the beginning of the succeeding academic year in accordance with rules and regulations of the State Board of Education and with the prior written approval of the Superintendent of Public Instruction.**

**The term "academic year" as used in this section means that portion of the school year during which the regular day high school is maintained, which period must include not less than the number of days of teaching required to entitle the district to apportionments of state funds.**

*Powers of Governing Board; Branches of Study Authorized for Elementary Schools* [EC51730]

EC5723. **The governing body of any elementary school district may establish and maintain, in connection with any school under its jurisdiction, special day and evening classes and summer schools, consisting of special day classes or special evening classes or both, for the purpose of giving instruction in any of the branches of study prescribed and authorized for the elementary schools.**

*Scheduling of Classes* [EC51731]

EC5724. **These classes may be convened at such hours and for such length of time during the school day or evening, and at such period and for such length of time during the school year as may be determined by the governing authority in accordance with rules and regulations of the State Board of Education and with the prior written approval of the State Superintendent of Public Instruction.**

Only pupils who are otherwise eligible for regular elementary or high school admission may be admitted to a summer school.

Attendance accounting procedures for summer schools are presented in the paragraphs that follow.

Summer schools may begin in June of one fiscal year and end in July or August of the succeeding fiscal year. The attendance for the complete summer session is reported on the J-18 and J-19 series forms.

Kindergarten summer school classes may be held for as little as 180 minutes per day, and grades one through three of summer school classes may be held for as little as 200 minutes per day. The actual time accrued for apportionment purposes is derived by dividing the instructional minutes by 240 to determine apportionment attendance.

The days that a summer school is operated are not counted as days maintained in the computation of a.d.a. for regular day schools. Attendance is usually recorded in the same way as for regular day schools, but it may be recorded on the positive basis. The positive method may be desired when numbers of pupils are enrolled for less than the minimum day.

Absence due to illness or quarantine may not be credited for apportionment purposes.

Classes for adults maintained during the summer are not to be reported as summer-school classes.

Special classes for physically handicapped pupils, mentally retarded pupils, and educationally handicapped pupils maintained during the summer are not to be reported as summer-school classes; they are extended-year classes and are to be included in the computation of the a.d.a. of the school year in which the summer session ends.

The a.d.a. in summer school and outdoor science and conservation education classes maintained during the period between the last day the regular day schools are in session during the preceding year and the first day the regular day schools are in session during the current year shall be reported on both the first-period and the second-period reports. Such a.d.a. shall be computed by dividing days of attendance by 175 (Education Code Section 17601.1(c), page 17 of this manual).

Provision is made in the period report forms (J-18-P1, J-18-P2, J-19-P1, and J-19-P2) for reporting days of attendance for special day and evening classes and for summer schools. However, for the purposes of the annual attendance report (forms J-18-A and J-19-A), the attendance is computed by dividing the total number of days of attendance in special day and evening classes or summer schools by the total days that school is maintained during the academic year.

Some school districts offer educational opportunity to prekindergarten children. A pupil may be enrolled to participate in a presession activity if he or she will be eligible for admission to kindergarten on September 1; however, attendance prior to September 1 for pupils under the age of five years may not be counted for apportionment purposes.

A yearly information packet prepared by the Office of Curriculum Services, Instructional Services unit, of the State Department of Education sets forth the requirements for establishing a summer school and gives current information and guidelines for matters pertinent to this subject.

### Technical, Agricultural, and Natural Resource Conservation Schools

Technical, agricultural, and natural resource conservation schools are authorized under the provisions of Education Code sections 6720 through 6742. Attendance for such schools is kept on an hourly basis and credited to the County School Service Fund of the county maintaining the schools. More specific instructions are contained in Education Code sections 6740 and 6741:

***Credit of School Attendance for State School Fund Apportionments*** [EC1807]

EC6740. The school attendance of such students shall be credited to the county school service fund of the county superintendent of schools providing the education for the students; and State School Fund apportionments on account of such attendance shall be made to the fund in the amount, per unit of average daily attendance, as would be computed for the foundation program of a high school under Section 17665.

***Contribution by District of Residence to Cover Excess Cost; Computation of Average Daily Attendance*** [EC1808]

EC6741. A student shall be deemed to be a resident of the high school district in which he lived at the time of his admission to the program and the excess cost for a school year of educating such student shall be paid by the high school district of which he is a resident to the county superintendent who is providing education for the students. The excess cost shall be determined by dividing the total current expense of education as defined in Section 17503 and also excluding expense of boarding and lodging during such school year by the total number of units of average daily attendance in such school or classes during such school year, less state and federal apportionments on account of such average daily attendance.

Average daily attendance of students shall be computed, for purposes of this article, by dividing the number of days such student attended the schools or classes by the number of days that the schools or classes were taught, except that with respect to a student attending such schools or classes for more than 175 days in a school year, the average daily attendance shall be computed by using the divisor of 175.

For purposes of computing average daily attendance 180 minutes of class attendance shall be deemed to constitute a schoolday, and no more than 15 hours of class time per week shall be considered.

Not later than July 15th of each year, the superintendent of schools of the county providing education for students shall forward his claim for the excess expense reimbursement to the high school district of residence of each student during the preceding school year, and the governing board of such high school district shall upon receipt thereof pay such claims.

The governing board of the high school district to which the claim is presented may include in its budget the amount necessary to pay the claim, and, if the amount is included in the budget, the board of supervisors shall levy a school district tax to raise the amount. The school district tax shall be in addition to any other school district tax authorized by law to be levied. All amounts raised by such a tax shall be expended only for the purposes of this article.

## Work-Experience Programs

Work-experience education programs are part of regular high school or continuation education programming. Provisions for attendance accounting in work-experience education are discussed in Education Code Section 11251(b) (see page 32 of this manual).

Education Code Section 11251(b) provides the authority for students participating in an approved work-experience program to qualify for a.d.a. because immediate supervision of the pupils is shared by school personnel and the employer. The California Administrative Code, Title 5, Education, Section 10074(b)(1) provides for pupils enrolled in continuation education to participate in work-experience education. Education Code Section 12553 (see page 39 of this manual) allows for 15 hours of attendance per week to be credited for continuation education. Education Code Section 12551 provides that if a pupil works full-time, he or she must attend continuation education school for four hours per week. Therefore, a pupil attending four hours in a continuation school and working full-time at a work station approved as part of the work-experience program, as part of the State Plan for Vocational Education, would qualify for up to ten hours of additional apportionment attendance per week. It also should be noted that work experience is not allowed as part of Regional Occupational Centers or Programs.

Instructions on computing average daily attendance for work-experience programs are in Education Code Section 11484:

***Computation of [illegible] for Work Experience and Cooperative Education*** [EC84530]

EC11484. For the purposes of computing average daily attendance of community college students in cooperative education or work experience education programs, the following provisions shall apply:

(a) One student contact hour is to be counted for each unit of cooperative education or work experience credit in which a student is enrolled during any census period. In no case shall duplicate student contact hours be counted for classroom study and cooperative education or work experience. The maximum contact hours counted for a student shall not exceed the maximum number of cooperative education or work experience units for which the student may be granted credit under the rules and regulations of the chancellor's office of the California Community Colleges.

(b) "Immediate supervision" of off-campus work stations shall be defined as student participation in on-the-job training as outlined under a training agreement, coordinated by the school district under a state-approved plan, wherein the employer and the certificated community college coordinator share responsibility for on-the-job supervision.

## Year-round Schools and Intersessions

A year-round plan commonly employs intersessions, and attendance accounting techniques for these intersessions are the same as for the summer school programs that follow the regular school year.

Verified illness absence and other authorized absences (Education Code Section 10953, page 27 of this manual) in a year-round program are deemed days of attendance during the regular session but not in intersessions or summer schools. If a district employs a 45-15 plan, verified illness absence during the 45-day segment is allowable as attendance (California Administrative Code, Title 5, Education, Section 420, page 27 of this manual).

The minimum day standards for regular and year-round programs are also comparable. Regular-year standards apply to the 45-day segment of the year-round program, and summer school standards apply to the intersessions. During intersessions and summer schools, attendance is reported by clock hours (California Administrative Code, Title 5, Education, Section 406, page 12 of this manual). Therefore, a pupil who is enrolled and present for only one hour per day during an intersession earns only one-quarter of a day of attendance. During the regular-year segment, however, a pupil enrolled for the minimum day is deemed present for the entire school day unless he or she is absent for the entire school day, except when he or she is excused to participate in an activity not

under the supervision of a certificated employee (California Administrative Code, Title 5, Education, sections 403 and 405c, pages 11 and 12 of this manual).

The amount of support from the State School Fund for a year-round program is the subject of Education Code Section 32130:

*Support from State School Fund* [EC37640]

**EC32130.** Each school district maintaining a continuous school program in any school within the district pursuant to this chapter shall be entitled to receive the same support, but not more support, from the State School Fund due to the average daily attendance at such school that it would have received if the school had been operating under the provisions of law relating to the regular school year, including summer school.

# Chapter VI Attendance Accounting for Individuals with Exceptional Needs

Elementary and secondary school students with special abilities or handicaps are eligible to enroll in educational programs for pupils with exceptional needs. These programs have their own admission requirements and attendance accounting procedures. The definitions, admission regulations, and attendance accounting procedures pertaining to pupils in the following categories are presented in this chapter:

- Educationally handicapped
- Learning handicapped
- Physically handicapped
- Mentally gifted

## Provisions for the Educationally Handicapped

The definition of an educationally handicapped pupil and the description of the requirements for classes for the educationally handicapped are contained in the following sections of the Education Code:

***Definition*** [EC56600;78600] [1]

**EC6750.** As used in this chapter, "educationally handicapped pupils" are pupils under the age of 21 years who, by reason of marked learning or behavior disorders, or both, cannot benefit from the regular educational program, and who, as a result thereof, require the special education programs authorized by this chapter. Such learning or behavior disorders shall be associated with a neurological handicap or emotional disturbance and shall not be attributable to mental retardation.

***Programs for Autistic Pupils*** [EC56601; 78601]

**EC6750.1** (a) The education of educationally handicapped pupils who are diagnosed as being autistic shall be provided all eligible pupils in the manner set forth in this chapter.

(b) The governing board of any elementary or unified school district which has an average daily attendance of 8,000 or more in the elementary schools of the district, or any high school district which has an average daily attendance of 8,000 or more shall provide for the education, in special education classes or programs, of autistic pupils residing in the district who are not in attendance upon other special education classes or programs.

(c) The county superintendent of schools shall establish and maintain special education classes or programs for autistic pupils who reside in the county and in elementary or unified school districts which have an average daily attendance of less than 8,001 in the elementary schools of the district, or who reside in the county and in a high school district which has an average daily attendance of less than 8,001. The classes and programs shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them.

(d) The State Board of Education shall adopt rules and regulations which shall prescribe standards for special education programs for autistic pupils. Such rules and regulations shall ensure that no county has more than four autistic pupils enrolled in special education classes or program for autistic pupils per 10,000 average daily attendance. The Superintendent of Public Instruction may waive the number of autistic pupils allowed to be served within each county if he determines that such waiver is necessary to meet the exceptional needs of autistic pupils.

[1] The new (reorganized) Education Code is now in effect. Throughout this publication the new section number for each of the Education Code sections presented is given in brackets at the beginning of the section. For a complete listing of the old Education Code section numbers cited in this publication, together with the corresponding new section numbers, the reader should refer to Appendix A.

***Special Educational Programs; Application of Foundation Program*** [EC56602;78602]

**EC6751.** The governing board of any school district or a county superintendent of schools with the approval of the county board of education, maintaining schools in juvenile halls or juvenile homes, ranches, or camps as authorized by the Welfare and Institutions Code, may provide for any one or more of the special educational programs for educationally handicapped pupils authorized in this section. A county superintendent of schools may enter into an agreement pursuant to Section 6753 with the governing board of a school district having less than 901 average daily attendance in the elementary schools or less than 901 in the high schools of the district to provide any one or more of such special educational programs for the district, or the county superintendent of schools may enter into an agreement pursuant to Section 6753 with the governing board of a school district having an average daily attendance of 901 or more in the elementary schools of the district or 901 or more in the high schools of the district to provide only those special educational programs for the district which are set forth in subdivision (a), (c), or (d), or any combination thereof. Whenever a special educational program for educationally handicapped pupils set forth in subdivision (a) or (d) of this section is provided by a county superintendent of schools for a district with an average daily attendance of 901 or more in the elementary schools of the district or 901 or more in the high schools of the district, pursuant to an agreement entered into pursuant to Section 6753, the foundation program prescribed in Section 17656 for an elementary district with an average daily attendance of 901 or more shall apply to educationally handicapped pupils of the elementary schools of the district who are in such a special education program and the foundation program prescribed in Section 17665 shall apply to educationally handicapped pupils of the high schools of the district who are in such a special educational program.

Such special educational programs shall be provided in accordance with standards for each approved by the State Board of Education. Such standards shall emphasize fundamental school subjects with the aim of returning the pupils to the regular school program at the earliest possible date consistent with the interest of the pupil.

The special educational programs for educationally handicapped pupils are:

(a) Special day classes (elementary and secondary). Under this program, educationally handicapped pupils unable to function in a regular class are assigned to a special day class. The special day class shall be maintained for not less than the minimum schoolday. In this program, fundamental school subjects shall be emphasized as prescribed by the State Board of Education.

(b) Learning disability groups (elementary and secondary). In this program, the pupil remains in his regular class but is scheduled for individual or small group instruction given by a special teacher. Whenever one to four educationally handicapped pupils are instructed at the same time by the same teacher in a learning disability group conducted by a school district or county superintendent of schools, the total attendance credited for such pupils shall equal one unit of attendance for each 60 minutes of instruction.

(c) Specialized consultation to teachers, counselors, and supervisors (elementary and secondary). Under this

program, specialized consultation is provided teachers, counselors, and supervisors relative to the learning disabilities of individual pupils and special education services required by such pupils.

(d) Home and hospital instruction (elementary and secondary). Under this program, a pupil who is unable to function in a school setting and who does not attend school receives instruction at the appropriate grade level at home or in a hospital.

(e) Regular class instruction. Under this program, whenever the number of educationally handicapped pupils is less than six in each of one or more schools of a district or schools served by a county superintendent and the distance between any school also having educationally handicapped pupils is excessive, prohibiting the reasonable transportation of pupils, such pupils may be instructed in the regular classes of the district or county with prior approval of the Superintendent of Public Instruction, providing an instructional aide is employed in each such regular class for the regular schoolday, and that supervision of the instructional program for educationally handicapped pupils is provided by a credentialed person having expertise and experience in teaching the educationally handicapped. School districts providing regular class instruction for educationally handicapped pupils under this subdivision shall be qualified for the individual apportionment under subdivision (i) of Section 18102.9.

***Maximum Class Size*** [EC56603; 78603]

EC6751.1. The maximum size for the special educational programs for educationally handicapped pupils defined in Sections 6750.1 and 6751 shall be as follows:

(a) For special day classes the maximum enrollment shall be 12 pupils per class. If after the beginning of the school year it is determined that classes are at maximum size, that additional pupils will be without schooling unless additional classes are established, and that additional qualified teachers are not available for employment, a school district or a county superintendent of schools may, on forms provided for this purpose by the Department of Education, request permission of the Superintendent of Public Instruction to exceed the maximum class size for all or a part of the remainder of the school year. The Superintendent of Public Instruction may approve such request for all or a part of the remainder of the school year, provided the maximum size is not increased by more than two pupils above the maximum enrollment specified.

(b) For classes for autistic pupils, as defined by the Superintendent of Public Instruction, conducted by a school district or county superintendent of schools, the maximum class size shall be six pupils. The maximum class size prescribed herein may be exceeded upon a determination by the Superintendent of Public Instruction that to do so is in the best interests of the the pupils and of the school district or county superintendent of schools maintaining such classes.

(c) For learning disability groups the maximum enrollment shall be 32; however, participation in any given learning disability group shall be for at least 30 minutes and shall not exceed eight pupils at any one time.

The instruction provided by a full-time teacher, whether offered by a single teacher or two or more part-time teachers, shall result in not more than eight units of average daily attendance being credited as the result of such instruction.

***Educationally Handicapped Pupils*** [EC56604; 78604]

EC6751.5. The governing board of each school district may provide for instruction of educationally handicapped pupils who reside in all regularly established nonprofit, tax-exempt, licensed children's institutions within the district. Under such a program, a pupil who is unable to function in a school setting and who does not attend school receives instruction at the appropriate grade level in the institution, or a pupil who resides in the institution and who is able to function in a school setting receives instruction at the appropriate grade level in the public school facilities.

The governing board may contract with the county superintendent of schools for the provision of such programs.

***Limitation on Enrollment*** [EC56605; 78605]

EC6752. A school district maintaining special educational programs for educationally handicapped pupils shall not enroll at any given time more than 2 percent of total district enrollment in such programs except as permitted by special authorization of the Superintendent of Public Instruction. As used in this section, total district enrollment means the average number of pupils, exclusive of pupils for whom a tuition payment is charged pursuant to Chapter 10 (commencing with Section 6950) of Division 6, enrolled at the end of the first school month and the sixth school month of the school year.

The superintendent shall report to each regular session of the Legislature (1) the school districts, and county superintendents of schools permitted to exceed the 2 percent during the preceding school year, (2) the number of additional pupils involved, and (3) the reasons existing that resulted in granting the permission requested.

A county superintendent of schools maintaining schools in juvenile halls or juvenile homes, ranches, or camps as authorized by the Welfare and Institutions Code shall not enroll at any given time more than 2 percent of the juvenile population thereof in programs for educationally handicapped pupils except as permitted by the Superintendent of Public Instruction.

The 2-percent limitation prescribed by this section does not include pupils participating in a program for educationally handicapped pupils pursuant to Section 6751.5.

***Prior Approval for Extension of Program*** [EC56606; 78606]

EC6752.1. In any fiscal year, extension of an existing program by a school district or county superintendent of schools which exceeds 120 percent of the enrollment at the end of the sixth school month of the prior year shall receive the prior approval of the Superintendent of Public Instruction before any allowance or apportionment is made therefor for the purposes of this article.

***Bases for Approval*** [EC56607; 78607]

EC6752.2. Approval of the Superintendent of Public Instruction pursuant to Section 6752.1 shall be based on but not limited to the following:

(a) Actual demand for the program as demonstrated by the recommendations for placement by the local admission committee authorized in Section 6755.

(b) District experience in the operation of programs for educationally handicapped pupils.

(c) The demonstrated ability of the district to return educationally handicapped pupils, who can participate effectively, to the regular school program.

***Agreement With County Superintendent to Provide Special Educational Programs*** [EC56608]

EC6753. The governing board of a school district which has an average daily attendance of less than 901 in the elementary schools of the district or less than 901 in the high schools of the district may enter into agreement with the county superintendent of schools to provide special educational programs for educationally handicapped pupils. The governing board of a school district may enter into agreements with the governing boards of other school districts for the education of educationally handicapped pupils. The district of residence having pupils receiving special education under the provisions of this section shall pay all current expenses entailed in providing such special education which are over and above all state apportionments made to the county superintendent or school district providing the program.

(See Chapter VII, pages 70–73, for additional information on interdistrict attendance accounting methods.)

For apportionment purposes, classes for educationally handicapped pupils must be maintained for the minimum schoolday, as described below:

***Minimum Schoolday for Certain Educationally Handicapped Minors*** [EC46116]

EC11008. With respect to educationally handicapped pupils provided instruction pursuant to Chapter 7.1 (commencing

with Section 6750), Division 6 of this code, the minimum schoolday in kindergarten is 180 minutes; in grades one, two and three in elementary schools, is 200 minutes; and in grades four, five, six, seven and eight in elementary schools, is 240 minutes.

***Minimum Schoolday in High School for Certain Educationally Handicapped Pupils*** [EC46143; 76312]

EC11054. With respect to educationally handicapped pupils provided instruction pursuant to Chapter 7.1 (commencing with Section 6750), Division 6 of this code, the minimum schoolday in any high school is 240 minutes.

## Admission to Programs for the Educationally Handicapped

The Education Code sections that govern admission to programs for the educationally handicapped are as follows:

***Admission; Individual Evaluation; Local Admission Committee; Interim Placement*** [EC56610; 78609]

EC6755. (a) Admission of minors to programs for the educationally handicapped established under the provisions of this chapter shall be made only on the basis of an individual evaluation according to standards established by the State Board of Education and upon individual recommendation of an admission committee which shall include an administrator in charge of special education programs in the school district or county or administrator designated by the school district or county superintendent of schools, an experienced special education teacher, a school nurse, and a school psychologist who has examined the child under consideration for eligibility and placement. The admission committee shall use such health reports as are needed to properly evaluate the child. The admission committee shall have the services or presence of other pupil personnel workers, educational specialists, school nurses, social workers, optometrists, or physicians as the committee may require and request.

The recommendation shall include a statement, that in the professional judgment of the members of the admission committee the minor is recommended for placement in a program for educationally handicapped minors to ameliorate a marked learning disability or behavior disorder, or both, associated with a neurological handicap or emotional disturbance, or both. Any member of the admission committee dissenting from the final committee recommendation shall attach to the final recommendation a statement of reasons for such objection and alternative recommendations.

(b) The administrative head of a school district or office of the county superintendent of schools may make an interim placement of a pupil in a program for the educationally handicapped for a period not to exceed 90 days whenever a pupil transfers into the school district from another school district in which his last enrollment was in a program for educationally handicapped minors, such an interim placement may be made without the complete documentation specified in subdivision (a). Before the expiration of the 90-day period such interim placement shall be reviewed by the admission committee and a final recommendation shall be made by the admission committee in accord with the requirements of this chapter. The committee may utilize information, records, and reports from the admission committee proceedings of the school district or county program from which the pupil transferred.

***Review and Recommendations*** [EC56611; 78610]

EC6755.1. The admission committee shall annually (1) review the appropriateness of the placement of pupils in special educational programs under the provisions of this chapter and (2) submit recommendations as to the return of such pupils to the regular school program, continuance in the program for the educationally handicapped, transfer to other special educational programs, or referral to other agencies.

***Evaluation of Pupil for Placement: Right to Selected Representative*** [EC56612; 78611]

EC6755.2. Whenever any pupil is being evaluated for placement in a program for the educationally handicapped by an admission committee pursuant to Section 6755 or a review and recommendation procedure is being conducted by an admission committee pursuant to Section 6755.1, the parent or guardian of the pupil shall have the right to have a physician, optometrist, psychologist, social worker, or teacher, whether certificated or not, represent the pupil and present additional material, if any, to assist the admission committee in its determination with respect to the pupil.

The representative so selected shall have no decisionmaking power with respect to any determination to be made by the admission committee. The representative so selected may be an employee of the school district.

***Participation; Consultation With Parent; Parent's Consent*** [EC56613; 78612]

EC6755.3. No pupil shall be required to participate in a program for educationally handicapped pupils unless the admission committee or a member of the admissions committee appointed by such committee has personally consulted with the parent or guardian of the pupil regarding the learning disorders of the pupil and the objectives of the program, and the parent or guardian has subsequent to such counseling and prior to participation in a special educational program, filed written consent to such participation with the governing board of the school district or with the office of the county superintendent of schools.

***Standards for Individual Identification and Evaluation; Advisory Committee*** [EC56614; 78613]

EC6756. The State Board of Education shall adopt rules and regulations which shall prescribe standards for the individual identification and evaluation of educationally handicapped pupils and their admission to special education programs for educationally handicapped pupils. In arriving at such standards the State Board of Education shall receive assistance from an advisory committee consisting of one member from the State Department of Education and one member from the State Department of Health, such members to be appointed by the heads of the respective departments named. In addition, such advisory committee may consist of such additional members as are appointed by the State Board of Education.

## Attendance Accounting Requirements in Programs for the Educationally Handicapped

Some educationally handicapped pupils are given instruction by offices of county superintendents of schools, and the average daily attendance (a.d.a.) of these pupils is credited to the County School Service Fund. Education Code sections 11555 and 11556 pertain to the computation of a.d.a. in such instances.

***Computation of Educationally Handicapped Elementary Pupils*** [EC46365]

EC11555. The average daily attendance of educationally handicapped elementary pupils given instruction by a county superintendent of schools and whose attendance is credited to the county school service fund, shall be computed by dividing the total days of attendance of such pupils during the fiscal year by 175.

***Computation of Educationally Handicapped Pupils of Secondary Grade*** [EC46366]

EC11556. The average daily attendance of educationally handicapped pupils of secondary grade given instruction by a county superintendent of schools and whose attendance is credited to the county school service fund, shall be computed by dividing the total days of attendance of such pupils during the fiscal year by 175.

Additional instructions for computing the a.d.a. of educationally handicapped pupils are in the following sections of the Education Code:

***Average Daily Attendance of Educationally Handicapped Pupils*** [EC46510;76340]

EC11226. Attendance of educationally handicapped pupils, as identified pursuant to Chapter 7.1 (commencing with Section 6750) of Division 6, enrolled in a special day class, who attend school for the same number of minutes as constitute a minimum schoolday prescribed in Sections 11008 and 11054, shall constitute a day of attendance. Each clock hour of teaching time devoted to individual instruction of educationally handicapped pupils shall count as one day of attendance. The average daily attendance of all educationally handicapped pupils shall be computed by dividing the total number of days of attendance of the pupils by the number of days taught in the regular schools of the district.

***Attendance Credit for Home, Hospital, and Licensed Children's Institution Instruction of Educationally Handicapped Pupils*** [EC46511; 76341]

EC11227. With respect to educationally handicapped pupils given instruction at home, in a hospital, or in a regularly established nonprofit, tax-exempt, licensed children's institution, each clock hour of teaching time devoted to the individual instruction of such pupils shall count as one day of attendance. No provision of this chapter (commencing at Section 10951) limiting the number of days of attendance with which a pupil may be credited in any one calendar day is applicable to such pupils, but no such pupil shall be given individual instruction for more than three hours in any one day or credited with more days of attendance for individual instruction during any fiscal year than the number of legal calendar days school may be maintained during such fiscal year.

***Report to County Superintendent of Schools*** [EC46512; 76342]

EC11228. The attendance of all educationally handicapped pupils given instruction by a school district shall be reported annually to the county superintendent of schools together with all other attendance on forms provided by the Superintendent of Public Instruction.

***Crediting Attendance of Educationally Handicapped Pupils*** [EC1871; 46513]

EC11229. The attendance of educationally handicapped pupils instructed by the county superintendent of schools pursuant to Section 6751 shall be credited as follows:

(a) The attendance of elementary pupils taught in special classes maintained for educationally handicapped pupils shall be credited to the county school service fund as attendance upon a single emergency elementary school for special class instruction of such pupils. The attendance of pupils of secondary grade in special classes maintained for educationally handicapped pupils shall be credited to the county school service fund as attendance upon a single emergency secondary school for special class instruction for such pupils.

(b) The attendance of elementary pupils in learning disability groups maintained for educationally handicapped pupils shall be credited to the county school service fund as attendance upon a single emergency elementary school for learning disability group instruction of educationally handicapped pupils. The attendance of pupils of secondary grade in learning disability groups maintained for educationally handicapped pupils shall be credited to the county school service fund as attendance upon a single emergency secondary school for learning disability group instruction of educationally handicapped pupils.

(c) The attendance of elementary pupils given instruction in the home, hospital, or a regularly established licensed children's institution shall be credited to the county school service fund as attendance upon a single emergency elementary school for home, hospital, or a regularly established licensed children's institution instruction of educationally handicapped pupils. The attendance of pupils of secondary grade given instruction in the home, hospital, or a regularly established licensed children's institution shall be credited to the county school service fund as attendance upon a single emergency secondary school for home, hospital, or a regularly established licensed children's institution instruction of educationally handicapped pupils.

Attendance for educationally handicapped pupils who attend special day classes is recorded in the State School Register or on other approved attendance forms that are clearly labeled "Special Day Classes for EH Pupils." Attendance is recorded in the same manner as in regular day classes. Average daily attendance is computed by dividing the total days of attendance by the number of days school is maintained in the regular day schools of the district. For apportionment purposes the attendance is credited to the district in which the classes are maintained.

For instruction provided by offices of county superintendents of schools, attendance at the elementary school level is reported on Form J-27 period and annual reports, and attendance at the secondary level is reported on the Form J-28 period and annual reports. School districts summarize all special education attendance on forms J-18 and J-19 and report on individual programs on Form J-22.

Special day classes may be maintained during the summer in the same manner as during the regular school year. They are not summer schools but extended-year classes; therefore, they need not be approved as summer school classes. (To compute a.d.a. for extended-year classes, use a divisor of 175.)

Educationally handicapped pupils enrolled in learning disability groups will be credited with the actual number of minutes of instructional time in the group. The State School Register: Remedial Education may be used in recording the attendance of educationally handicapped pupils in learning disability groups. Such registers are labeled "Learning Disability EH Pupils." The special education teacher records actual minutes of attendance on the positive basis.

If one to four pupils are enrolled in a group, the instruction shall be deemed to be individual instruction. The total number of minutes of attendance is assigned to *one* member of the group. To compute the actual days of attendance, divide the total number of minutes of attendance by 60. Average daily attendance is computed by dividing the days of attendance by days taught in the regular schools of the district. When five or more pupils, but not more than eight, are given instruction in a group, the minutes of attendance are assigned to each member of the group. The total number of minutes of each member of the group shall be divided by the appropriate grade level minimum day divisor to compute the actual days of attendance. Average daily attendance is computed by dividing days of attendance by days taught in the regular day schools of the district.

The attendance of pupils discussed in Education Code Section 11229(c) may be recorded in the State School Register or on other approved forms. For instruction provided

by offices of county superintendents of schools, attendance at the elementary level is reported on Form J-27-1 for period and annual reports, and attendance at the secondary level is reported on Form J-28 period and annual reports. School districts summarize all special education attendance on forms J-18 and J-19 and report on individual programs on Form J-22.

### Additional Special Allowance

Attendance for each category must be kept separately for reporting a.d.a. for the additional allowance on Form J-22. The Form J-22 period and annual reports are used to claim the additional special allowance that is authorized by Education Code sections 18102.6 and 18102.9:

**Computation of Allowances for Educationally Handicapped Pupils** [EC41886; 84836]

EC18102.6 The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of educationally handicapped pupils in special classes during the current fiscal year an amount computed as follows:

(a) He shall divide the average daily attendance in each particular class size category by the maximum class size established for each particular class size category, and increase the quotient to the next highest integer where a fractional amount is produced.

(b) He shall then determine for each particular class size category the product of the amount computed under subdivision (a) multiplied by the maximum class size established by law for special day classes for the particular category.

(c) He shall then multiply the amount computed under subdivision (b) by the following amount of the particularly level and category:

| Category | Elementary grades (K–8) | High school grades (9–12) | Community college grades (13–14) |
|---|---|---|---|
| Educationally handicapped | | | |
| Class-size maximum of 12 | $1,000 | $870 | $710 |
| Autistic | | | |
| Class-size maximum of 6 | $4,500 | $4,315 | $4,245 |

**Additional Special Education Allowances** [EC41888; 84838]

EC18102.9. (1) In addition to the allowances provided under Sections 18102 to 18102.6, inclusive, the Superintendent of Public Instruction shall allow to school districts and county superintendents of schools for each unit of average daily attendance an amount as follows:

(a) For instruction of educationally handicapped pupils in learning disability groups, one thousand eight hundred eighty dollars ($1,880).

(b) For instruction of educationally handicapped pupils in homes or in hospitals, one thousand three hundred dollars ($1,300).

(c) For instruction of physically handicapped pupils in remedial physical education, seven hundred seventy-five dollars ($775).

(d) For remedial instruction of physically handicapped pupils in other than physical education, two thousand dollars ($2,000).

(e) For instruction of blind pupils when a reader has actually been provided to assist the pupil with his studies, or for individual instruction in mobility provided blind pupils under regulations prescribed by the State Board of Education, or when braille books are purchased, ink print materials are transcribed into braille, or sound recordings and other special supplies and equipment are purchased for blind pupils, or for individual supplemental instruction in vocational arts, business arts, or homemaking for blind pupils, nine hundred ten dollars ($910).

Braille books purchased, braille materials transcribed from ink print, sound recordings purchased or made, and special supplies and equipment purchased for blind pupils for which state or federal funds were allowed are property of the state and shall be available for use by blind pupils throughout the state as the State Board of Education shall provide.

(f) For other individual instruction of physically handicapped pupils, one thousand three hundred dollars ($1,300).

(g) For the instruction of physically handicapped pupils in regular day classes, one thousand eighteen dollars ($1,018).

(h) For the instruction of mentally retarded pupils in regular day classes, one thousand eighteen dollars ($1,018).

(i) For the instruction of educationally handicapped pupils in regular day classes, one thousand eighteen dollars ($1,018).

(j) In lieu of benefits provided under subdivision (d) of Section 18102.9, there shall be allowed for the individualized remedial instruction of speech handicapped pupils by specially trained noncredentialed teaching assistants under the direct guidance of a speech therapist, one thousand eighteen dollars ($1,018).

(2)(a) The allowances provided under Sections 18102 to 18102.6, inclusive, may be increased proportionately on account of special day classes convened, or other instruction provided a pupil, for days in a school year which are in excess of the number of days in the school year on which the regular day schools of a district are convened. The average daily attendance of pupils enrolled for such excess days shall be credited to the school district in the fiscal year in which the last day of such excess days falls.

(b) The Superintendent of Public Instruction shall compute for each applicant school district and county superintendent of schools in providing in such year a program of specialized consultation to teachers, counselors and supervisors for educationally handicapped pupils, an amount equal to the product of ten dollars ($10) and the average daily attendance of pupils enrolled in special day classes, learning disability groups, and home and hospital instruction for educationally handicapped pupils.

For special day classes and home and hospital instruction, the basic data reported on forms J-18, J-19 (school districts), J-27, and J-28 (offices of county superintendents of schools) will be used to complete Form J-22.

Data for learning disability groups at the district level are not reported on forms J-18 or J-19. Such attendance is reported on Form J-22 for the additional allowance only. If the county superintendent of schools maintains the learning disability program, the basic data are reported on forms J-27.1 and J-22.

For each special class or program for which additional allowance is provided, each school district and each office of county superintendent of schools maintaining such special programs shall report annually to the Superintendent of Public Instruction on Form J-26 or Form J-73C. All expenditures and income related to each special class or program are reported on this form.

## Provisions for the Learning Handicapped

The definition of a learning handicapped pupil (previously referred to as mentally retarded) and the description of requirements for classes for the learning handicapped are contained in the following sections of the Education Code:

***Definition*** [EC56500; 78800]

EC6901. "Mentally retarded pupils" means all pupils under the age of 21 years who because of retarded intellectual development as determined by individual

psychological examination are incapable of being educated efficiently and profitably through ordinary classroom instruction.

of schools to the Department of Education indicating the numer of eligible pupils for whom no such special education is provided and the reason therefor.

***Required Education of Certain Mentally Retarded Pupils: Annual Report*** [EC56501; 78801]

EC6902. The education of mentally retarded pupils who are of compulsory school age and who may be expected to benefit from special educational facilities designed to make them economically useful and socially adjusted shall be provided all eligible pupils in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895.10, inclusive. Such special education may be provided to mentally retarded pupils who are between five years nine months and six years of age and those above compulsory school age and less than 21 years of age.

An annual report shall be made by each school district or county superintendent of schools to the Department of Education indicating the numer of eligible pupils for whom no such special education is provided and the reason therefor.

A minimum day for apportionment purposes in special schools and classes for pupils defined in Education Code Section 6902 is the same as in corresponding grade levels for regular classes; that is, 230 minutes for grades one through three and 240 minutes for grades four through twelve:

***Enrollment of Mentally Retarded Pupils*** [EC56510; 78807]

EC6902.1. Mentally retarded pupils who come within the provisions of Section 6902 may be enrolled in integrated programs of instruction conducted by a school district or a county superintendent of schools.

(a) An integrated program of instruction for mentally retarded pupils shall be defined as a program in which mentally retarded pupils, who are enrolled in a special day class taught by a teacher holding a valid credential to teach exceptional children shall be so designated when they are integrated in regular classes in which the content and method of instruction has been modified to the extent that mentally retarded pupils can benefit from such integration.

The school district or county superintendent of schools conducting the integrated program of instruction shall be entitled to an apportionment equal to the amount which would have been credited to them had these pupils been enrolled full time in a special day class for the mentally retarded.

(b) Whenever the number of mentally retarded pupils is less than six in each of one or more schools of a district or schools served by a county superintendent and the distance between any school also having mentally retarded pupils is excessive, prohibiting the reasonable transportation of pupils, such pupils may be instructed in the regular classes of the district or county with prior approval of the Superintendent of Public Instruction, providing an instructional aide is employed in each such regular class for the regular schoolday and that supervision of the instructional program for mentally retarded pupils is provided by a person holding credentials to teach the mentally retarded. School districts providing integrated programs under this subdivision shall be qualified for the individual apportionment under subdivision (h) of Section 18102.9.

(c) Such programs shall be conducted in accordance with rules and regulations established by the State Board of Education.

***Programs for Mentally Retarded Pupils*** [EC56511; 78808]

EC6902.2. Programs for mentally retarded pupils identifiable pursuant to Section 6902.05 are:

(a) Special day classes (elementary and secondary). A class established for mentally retarded pupils (as defined by Section 6902.05). The class shall be maintained for at least the minimum schoolday. The class shall be taught by a full-time teacher whose responsibility is to teach pupils enrolled in the class for the schoolday as established by the governing board for regular classes for pupils who are at the highest grade level in the special class.

(b) An integrated program of instruction. A program for mentally retarded pupils in which mentally retarded pupils, who are enrolled in a special day class taught by a teacher holding a valid credential to teach exceptional children, are integrated in regular classes in which the content and method of instruction has been modified to the extent that mentally retarded pupils can benefit from such integration. Such programs shall be conducted in accordance with rules and regulations established by the State Board of Education.

***Maximum Enrollment for Special Day Classes as Defined in Section 6902.2; Waiver*** [EC56512; 78809]

EC6902.3. The maximum enrollment of pupils enrolled in special day classes as defined by subdivision (a) of Section 6902.2 shall be 18 pupils except that when the chronological age span is more than four years the appropriate maximum enrollment shall be 15 pupils.

The Superintendent of Public Instruction may waive the maximum class size standards prescribed by this section whenever it approves a project submitted by a school district or county superintendent of schools to conduct experimental studies to determine the proper class size standards.

If after the beginning of the school year it is determined that classes are at maximum size, that additional pupils will be without schooling unless additional classes are established, and that additional qualified teachers are not available for employment, or additional classroom space is not available, a school district or a county superintendent of schools may, on forms provided for this purpose by the Department of Education, request permission of the Superintendent of Public Instruction to exceed the maximum class size for all or a part of the remainder of the school year. The Superintendent of Public Instruction may approve such request for all or a part of the remainder of the school year, provided the maximum size is not increased by more than two pupils above the maximum enrollment specified, and the requesting district has consulted with the specific teacher involved. Such approval, when based on a lack of additional classroom space, shall not be given for any school year commencing July 1, 1977, or thereafter.

***Required Education of Mentally Retarded Pupils Not within Provisions of Section 6902*** [EC56515]

EC6903. The education of mentally retarded pupils who do not come within the provisions of Section 6902, who are six or more, and less than 18 years of age and who may be expected to benefit from special educational facilities designed to educate and train them to further their individual acceptance, social adjustment, and economic usefulness in their homes and within a sheltered environment, shall be provided for in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895.10, inclusive. The education of such mentally retarded pupils who are three or more and less than six years of age may be provided for in the manner set forth in Sections 6901 to 6913, inclusive, and in Sections 895 to 895.10, inclusive.

Any such pupil who becomes 18 years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time such school or class is maintained during the then current school year.

Notwithstanding other provisions of this section any such pupil who is participating regularly in an approved occupational training program in the manner set forth in Sections 6931 and 6932 may be permitted by the governing board of the district or county superintendent of schools, as the case may be, maintaining such training program to continue thereon until his 21st birthday.

The reference to "21st birthday" in this section is not affected by Chapter 1748 of the Statutes of 1971.

A minimum school day for pupils defined by Education Code Section 6903 is 180 minutes. (See also Education Code Section 11301.)

For purposes of reporting attendance on the period and annual reports, the attendance of pupils defined by Education Code Section 6903 is reported separately from those pupils defined by Education Code Section 6902:

**Participation of Mentally Retarded Pupils Not Within Provisions of Section 6902; Special Day Class Program** [EC56516]

EC6903.1. Mentally retarded pupils identified pursuant to Section 6903 shall participate in a special day class program for mentally retarded pupils. The class shall be maintained for at least the minimum schoolday. The class shall be taught by a full-time teacher whose responsibility is to teach pupils enrolled in the class for the schoolday established by the governing board for regular classes for pupils who are at the highest grade level in the special class.

***Maximum Enrollment of Pupils in Special Day Classes as Defined in Section 6903.1; Waiver*** [EC56517]

EC6903.2. The maximum enrollment of pupils in a special day class (as defined by Section 6903.1) shall be 12 pupils.

The Superintendent of Public Instruction may waive the maximum class size standards prescribed by this section whenever he approves a project submitted by a school district or county superintendent of schools to conduct experimental studies to determine the proper class size standards.

If after the beginning of the school year it is determined that classes are at maximum size, that additional pupils will be without schooling unless additional classes are established, and that additional qualified teachers are not available for employment, or additional classroom space is not available, a school district or a county superintendent of schools may, on forms provided for this purpose by the Department of Education, request permission of the Superintendent of Public Instruction to exceed the maximum class size for all or a part of the remainder of the school year. The Superintendent of Public Instruction may approve such request for all or a part of the remainder of the school year, provided the maximum size is not increased by more than two pupils above the maximum enrollment specified, and the requesting district has consulted with the specific teacher involved. Such approval, when based on a lack of additional classroom space, shall not be given for any school year commencing July 1, 1977, or thereafter.

***Annual Report*** [EC56518]

EC6903.3. **An annual report shall be made by each school district or county superintendent of schools to the Department of Education indicating the number of eligible pupils under Section 6903 for whom no such education is provided and the reason therefor.**

***Special Training Schools or Classes in Elementary, High School, or Unified School District*** [EC56519]

EC6904. The governing board of any elementary or unified school district which has an average daily attendance of 900 or more in the elementary schools of the district, or any high school district which has an average daily attendance of 900 or more shall provide for the education in special training schools or classes of mentally retarded pupils residing in the district who come within the provisions of Section 6902 and who are not in attendance upon other special training schools or classes maintained under the provisions of Sections 6901 to 6913, inclusive.

The governing board of any elementary or unified school district which has an average daily attendance of 8,000 or more in the elementary schools of the district, and any unified or high school district which has an average daily attendance of 8,000 or more in the high schools of the district shall provide for the education in special training schools or classes of mentally retarded pupils residing in the district who come within the provisions of Section 6903 and who are not in attendance upon other special training schools or classes maintained under the provisions of Sections 6901 to 6913, inclusive.

With the approval of the county superintendent of schools, the governing board of any elementary or unified school district which has an average daily attendance of less than 8,000 in the elementary schools of the district, and any unified or high school district which has an average daily attendance of less than 8,000 in the high schools of the district may provide for the education in special training schools or classes of mentally retarded pupils residing in the district who come within the provisions of Section 6903 as may be admitted to such schools or classes.

The governing board of any elementary, unified or high school district, required to provide for the education in special training schools or classes of mentally retarded minors residing in the district who come within the provisions of Section 6903, may with the approval of the Superintendent of Public Instruction, enter into an agreement with a county superintendent of schools for the latter to provide for the education of such mentally retarded pupils.

The governing boards of elementary, unified, and high school districts may enter into agreements for the education in special training schools or classes of mentally retarded pupils residing in the districts parties to such agreements providing such agreements are reported through the county **superintendent of schools to the Superintendent of Public Instruction.**

**No community college shall initiate new programs relating to mentally retarded pupils after May 1, 1973, except programs planned before July 1, 1972, or programs which are not solely or partially financed by state funds.**

***Four-year Secondary School Program in Certain Districts*** [EC56522]

EC6904.5. The governing board of a unified or high school district with an average daily attendance of 900 or more shall provide a four-year secondary school program for each mentally retarded pupil residing in the district who comes within the provisions of Section 6902 and for whom the district is required to provide an education in special training schools or classes pursuant to Section 6904.

***Special Training Classes in Certain High School Districts*** [EC56523]

EC6905. The governing board of any high school district which has an average daily attendance of less than 900 may establish and maintain special training schools or classes for the education of such mentally retarded pupils as may be admitted to such schools or classes by the governing board of the district.

***Interdistrict Agreements for Education and Transportation*** [EC56529]

EC6910. The governing board of any school district otherwise required or authorized to maintain special training schools and classes under Sections 6904 and 6905 for mentally retarded pupils may provide for the education of such pupils in, and for the transportation of such pupils to, special training schools or classes maintained by another school district under Sections 6901 to 6913, inclusive, or by a county superintendent of schools under Sections 895 to 895.10, inclusive, subject to such terms and conditions as may be agreed upon.

(Additional information on interdistrict attendance accounting requirements is in Chapter VII of this manual.)

***Apportionment to School Districts for Mentally Retarded Pupils and Physically Handicapped Pupils*** [EC56536; 78821]

EC6914. Whenever any school district maintains special training schools or classes for the education of mentally retarded pupils who come within the provisions of Section 6903, or special schools, classes or integrated programs where a qualified special teacher is provided for the education of physically handicapped pupils who come within the provisions of Sections 6801 and 6802, the governing board of the school district may apply to the Superintendent of Public Instruction for an apportionment pursuant to Sections 6914 to 6919, inclusive.

***Application for Apportionment to School Districts for Mentally Retarded Pupils and Physically Handicapped Pupils*** [EC56537; 78822]

EC6915. The application shall be made prior to September 1st of each school year in the form and manner prescribed by the Superintendent of Public Instruction and shall include an estimate of the average daily attendance that will be credited to such schools, classes or integrated programs during the school year for which an advance apportionment is requested. Such estimate shall be based upon the number of pupils residing in the district or in an adjacent district that come within the provisions of Sections 6801, 6802, and 6903 and who will attend such schools, classes or integrated programs, and shall be subject to the approval of the Superintendent of Public Instruction.

***Amount of Apportionment for Mentally Retarded Pupils and Physically Handicapped Pupils*** [EC56538; 78823]

EC6916. Not later than 30 days after such application, the Superintendent of Public Instruction, if he approves, shall apportion to each applicant school district from the State General Fund, as an advance against future apportionments from the State School Fund to such district, an amount equal to the maximum amount allowable for each type of program included in the request per unit of average daily attendance to school districts for the excess expense of educating mentally retarded pupils who come within the provisions of Section 6903, and physically handicapped pupils who come within the provisions of Sections 6801 and 6802 multiplied by eight and the product thereof multiplied by the number of special classes or integrated programs maintained by the applicant school district for such pupils.

***Abstract of Apportionments to Be Furnished*** [EC56539; 78824]

EC6917. **The Superintendent of Public Instruction shall furnish an abstract of all apportionments made to school districts of any county under Sections 6914 to 6919, inclusive, to the State Controller, the Department of Finance and to the county auditor, county treasurer and county superintendent of schools of the county and shall certify such apportionments to the State Controller who shall thereupon draw his warrants on the State General Fund in favor of the county treasurer of each county for the amounts apportioned to the districts of the county.**

***Crediting of Funds*** [EC56540; 78825]

EC6918. **All moneys received by the treasurer of a county under Sections 6914 to 6919, inclusive, shall be credited by the treasurer to the general fund of the school district of the county exactly as apportioned by the Superintendent of Public Instruction.**

***Deductions From Apportionments*** [EC56541; 78826]

EC6919. **During the next two fiscal years after the fiscal year in which such apportionment is advanced to a school district under Sections 6914 to 6919, inclusive, the State Controller shall deduct from apportionments made to each such school district from the State School Fund an amount equal to the amount apportioned to such district under Sections 6914 to 6919, inclusive, and pay the same into the State General Fund.**

***Entitlement to Free Education*** [EC56542; 78827]

EC6920. Every mentally retarded, physically handicapped, or multiply handicapped pupil, as defined in Section 6870, is entitled to training or an education free of charge in the public schools of this state.

## Responsibilities of the County Superintendent of Schools

In certain instances the county superintendent of schools is authorized to establish schools for the learning handicapped. Guidelines for maintaining such schools appear in the following sections of the Education Code:

***Provisions for Schools or Classes for Mentally Retarded Pupils*** [EC1880]

EC895. (a) The county superintendent of schools shall establish and maintain special training schools or classes for mentally retarded pupils who reside in the county and in elementary or unified school districts which have an average daily attendance of less than 901 in the elementary schools of the district and who come within the provisions of Section 6902. The schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them.

Any elementary or unified school district which has an average daily attendance of less than 901 in elementary schools of the district, with the approval of the county superintendent of schools, may establish and maintain special training schools or classes for mentally retarded pupils who come within the provisions of Section 6902.

A county superintendent of schools may enter into an agreement by which a public school in a state adjacent to the county will provide the education required under this subdivision. Attendance resulting from such an agreement shall be reported by the county superintendent of schools to the Superintendent of Public Instruction who shall allow the county superintendent the same amount per unit of average daily attendance as set forth in Section 17656 or Section 17665 and in Section 18102.2. The school district in which a pupil being educated pursuant to such an agreement resides shall make the payments required by Section 885.5. Any costs of the agreement in excess of the computed allowances and the payments made by the school district shall be included in the amount to be raised by a county tax pursuant to Section 895.6.

(b) The county superintendent of schools may, with the approval of the county board of education, establish and maintain special training schools or classes for mentally retarded pupils who reside in the county and who come within the provisions of Section 6902 and contract with an elementary or unified school district with an average daily attendance of 901 or more in the elementary schools of the district, or with a high school district with an average daily attendance of less than 901, subject to such terms and conditions as may be agreed upon. The contract shall be approved by the county board of education and shall require the district to pay to the county school service fund of the county in which the district is located all costs of the education of the pupils which are in excess of the amounts apportioned from the State School Fund for the average daily attendance of such pupils.

Whenever a special training school or class is established under the provisions of this subdivision, the computations prescribed by Sections 17655.5 and 17664 shall not apply.

(c) The county superintendent of schools shall establish and maintain special training schools or classes for mentally retarded pupils who reside in the county and in elementary or unified school districts which have an average daily attendance of less than 8,000 in the elementary schools of the district and in unified or high school districts which have an average daily attendance of less than 8,000 in the high schools of the district and who come within the provisions of Section 6903. Such schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them. In an instance where it would be impracticable because of the transportation distances existing to bring a sufficient number of mentally retarded pupils, within the meaning of Section 6903, together in one place to form a special training class, the county superintendent of schools upon the annual approval of the Superintendent of Public Instruction may defer compliance with the provisions of this section for the year in question.

Any elementary or unified school district which has an average daily attendance of less than 8,000 in elementary schools of the district and any unified or high school district which has an average daily attendance of less than 8,000 in high schools of the district, with the approval of the county superintendent of schools, may establish and maintain special training schools or classes for mentally retarded pupils who come within the provisions of Section 6903.

A county superintendent of schools, required to provide for the education in special training schools or classes of mentally retarded pupils residing in the district who come within the provisions of Section 6903, may with the approval of the Superintendent of Public Instruction enter into agreement with an elementary, unified or high school district for the latter to provide for the education of such mentally retarded pupils.

(d) The county superintendent of schools may, with the approval of the county board of education, establish and maintain special training schools or classes for mentally retarded pupils who reside in the county and who come within the provisions of Section 6903 and agree with an elementary or unified school district with an average daily attendance of 8,000 or more in the elementary schools of the district and in unified or high school districts with an average daily attendance of 8,000 or more in the high schools of the district for the education by the county superintendent of schools of such pupils residing in such districts. Whenever a special training school or class is established under the provisions of this subdivision, the foundation program prescribed in Section 17656 for an elementary district with an average daily attendance of 901 or more shall apply for elementary schools, and the foundation program prescribed in Section 17665 shall apply for high schools.

***Limit on Admissions*** [EC1883]

EC895.3. Each county superintendent of schools maintaining special training schools or classes for mentally retarded

minors pursuant to subdivision (c) of Section 895 may limit the number of minors to be admitted to such schools or classes. Any minor who becomes 18 years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time the school or class is maintained during the then current school year.

***Certification of Funds Required for Education of Pupils Specified in Section 6902*** [EC1886]

EC895.6. The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the county board of supervisors, on or before August 15th of each year, the amount of money required to be raised by a county tax for the education of mentally retarded pupils who come within the provisions of Section 6902 and for the rental of property and the purchase of equipment by the county superintendent of schools for special training schools and classes for such pupils. The amount shall be determined by subtracting from the total costs of the education of such pupils, including transportation, to the county superintendent of schools (1) the total of any balances remaining to be expended for this purpose, and (2) the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded pupils who come within the provisions of Section 6902 and by adding to the result the amount required for rental of property and purchase of equipment.

The county auditor and the county board of supervisors shall determine the tax necessary to produce the amount certified when levied upon the taxable property of all the districts under the jurisdiction of the county superintendent of schools which have not been approved by the county superintendent of schools to maintain such schools or classes. The board of supervisors shall at the time of levying other county taxes levy the tax so determined in each school district which had during the preceding fiscal year not been approved by the county superintendent of schools to maintain such schools or classes, except that the tax levied shall not exceed ten cents ($0.10) for each one hundred dollars ($100) of assessed valuation and shall be levied notwithstanding the provisions of Section 20751 or 20903.

The amount received from the tax shall be deposited in the county school service fund.

In the event the amount received from the tax levied is less than the amount certified by the county superintendent of schools the difference shall, with the approval of the Superintendent of Public Instruction, be paid the county superintendent of schools from the county school service fund contingency account pursuant to Section 18353.

When classes for the learning handicapped are maintained by an office of the county superintendent of schools, attendance should be reported on forms J-27-P1 and J-27-P2. A school district summarizes attendance on forms J-18 and J-19 and reports on individual programs on Form J-22.

## Payments to Parents of the Learning Handicapped

In some cases payments may be made directly to the parents of pupils who are learning handicapped:

***Payments to Parents for Food and Lodging in Lieu of Providing Transportation*** [EC1882]

EC895.2. In lieu of providing transportation to special training schools or classes maintained by a county superintendent of schools for mentally retarded pupils who come within the provisions of Section 6903 and who reside in elementary or unified school districts which have an average daily attendance of less than 8,000, the county superintendent of schools may, with the approval of the county board of education, pay to the parents or guardians of any such mentally retarded pupil the cost of food and lodging for the minor at a place convenient to a special training school or class maintained by the county superintendent, by the governing board of a school district within the county, or by a county superintendent of another county.

## Admission to Programs for the Learning Handicapped

The Education Code sections that govern a child's admission to programs for the learning handicapped are as follows:

***Admission; Individual Evaluation; Interim Placement of Pupil; Local Admission Committee*** [EC56502; 78802]

EC6902.05. (a) Admission of a minor to a special educational program for the mentally retarded established under the provisions of Sections 6901 to 6913, inclusive, and in Sections 895 to 895.7, inclusive, shall be made only on the basis of an individual evaluation according to standards established by the State Board of Education and upon individual recommendation of a local admission committee which shall include an administrator in charge of special education programs in the district or county or other administrator designated by the school district or county superintendent of schools, an experienced special education teacher, a school nurse, and a school psychologist who has examined the child under consideration for eligibility and placement.

Whenever possible, the person serving on the admission committee for mentally retarded minors may also serve on the admission committee for educationally handicapped minors.

The admission committee shall use such medical reports as are needed to properly evaluate the child. The admission committee shall have the services or presence of other pupil personnel workers, educational specialists, school nurses, social workers, or physicians as the committee may require and request. Such recommendation shall include a statement that in the professional judgment of the members of the admission committee the minor recommended for placement in any program for the mentally retarded can reasonably be expected to benefit from such placement. Any member of the local admission committee dissenting from the final committee recommendation shall attach to the final recommendation a statement of reasons for such objection.

(b) The administrative head of a school district or office of the county superintendent of schools may make an interim placement of a pupil in a program for the mentally retarded for a period not to exceed 30 schooldays whenever a pupil transfers into the school district from another school district in which his last enrollment was in a program for mentally retarded minors. Such an interim placement may be made without the complete documentation specified in subdivision (a). Before the expiration of the 30-day period such interim placement shall be reviewed by the admission committee and a final recommendation shall be made by the committee in accord with the requirements of this chapter. The committee may utilize information, records, and reports from the admission committee proceedings of the school district or county program from which the pupil transferred.

***Representative of Pupil*** [EC56503; 78803]

EC6902.055. Whenever any pupil is being evaluated for placement in a program for mentally retarded pupils by an admission committee pursuant to Section 6902.05, the parent or guardian of the pupil may have a physician, optometrist, psychologist, social worker, or teacher, whether certificated or not, represent the pupil and present additional material, if any, to assist the admission committee in its determination with respect to the pupil.

The representative so selected shall have no decisionmaking power with respect to any determination to be made by the admission committee. The representative so selected may be an employee of the school district.

***Individual Examination of Child by Psychologist*** [EC56527; 78813]

EC6908. Before any child is placed in a school or class for mentally retarded children, he shall be given a careful individual examination by a credentialed school psychologist, or by a person serving under the supervision of such a school psychologist and holding a credential for that purpose issued by the State Board of Education and a consultation with his parents or guardian held. A psychiatrist or psychologist may be consulted in any specific case when the governing board of the district deems it necessary.

***Objection to Examination by Parent or Guardian*** [EC56528; 78814]

EC6909. No examination as specified in Sections 6901 to 6913, inclusive, shall be given if the parent or guardian objects on the ground that such examination is contrary to the religious beliefs of such parent or guardian.

### Attendance Accounting Requirements in Programs for the Learning Handicapped

Attendance accounting requirements for programs for the learning handicapped are as follows:

***Computation for Mentally Retarded Pupils*** [EC46362]

EC11553. The average daily attendance of mentally retarded pupils given instruction by a county superintendent of schools shall be computed by dividing the total days of attendance of such pupils during the fiscal year by 175 and the average daily attendance so computed shall be credited to the county school service fund; provided, however, that the average daily attendance of mentally retarded pupils coming within the provisions of Section 6903 for the purpose of computation of transportation allowances under Section 18060, subdivision (b), shall be computed by dividing the total number of days of attendance of such pupils during the fiscal year, including the days of attendance at an authorized summer session, by 175.

***Computation of Average Daily Attendance for Mentally Retarded Pupils*** [EC46363;84560]

EC11553.1. Mentally retarded pupils who come within the provisions of Section 6902 and who are enrolled in a work-study program approved by the Department of Education shall be credited, for apportionment purposes, one full day of attendance for each day of attendance in the approved program. The average daily attendance of mentally retarded pupils enrolled in approved programs shall be computed by dividing the total number of days of attendance of the pupils by the number of days taught in the regular schools of the district. No such pupils shall be credited with more than five days of attendance per calendar week or more than the number of calendar days such special school or class is maintained by the district in each fiscal year.

***Computation of Average Daily Attendance*** [EC1881]

EC895.1. For purposes of Section 895 the average daily attendance of the elementary schools of the district shall be computed by excluding the average daily attendance of pupils attending the seventh and eighth grades of a junior high school maintained by a high school district.

Attendance and absence for pupils enrolled in special training schools and classes on the elementary level are to be recorded in the State School Register in the same manner as attendance and absence are recorded in regular elementary school classes. If a State School Register is kept for each class, each register shall be clearly labeled "Learning Handicapped Class EMR Pupils" or "Learning Handicapped Class TMR Pupils."

Teachers in special training schools and classes are required to prepare the teacher's annual and period attendance report forms. Data for these reports are taken from the State School Register or the approved central accounting forms.

Learning handicapped schools or classes may be conducted during the summer in the same manner as they are conducted during the academic year, but such classes are not to be reported as summer school classes. They are referred to as extended-year programs, and a divisor of 175 is used when computing the a.d.a.

### Integrated Programs for the Learning Handicapped

An integrated program for a learning handicapped pupil (previously referred to as educable mentally retarded) is authorized by California Administrative Code, Title 5, Section 3413:

5CAC3413. **Integrated Programs of Instruction.** An integrated program of instruction shall meet the following standards:

(a) The minor's placement in such an integrated program has been recommended by the local admission committee.

(b) A regular class or classes in which he has ability to succeed is available and his attendance therein arranged in cooperation with his special class teacher.

(c) A pupil at the elementary level (comparable in chronological age to pupils enrolled in kindergarten through grade six of the regular class program) who participates in the program shall:

(1) Receive a minimum of 120 minutes of instruction under the immediate supervision of the special class teacher, with the remainder of the program day under the general supervision of the special class teacher.

(2) Be provided with instructional material at his comprehension and computational level appropriate to the courses of instruction undertaken.

(3) Be assigned an evaluation for each regular class attended, such evaluation to be determined after consultation with the special class teacher.

(4) Receive, as a part of his annual case review, a report on his adjustment and achievement in the integrated program of instruction.

(5) Be referred to the local admission committee for its reconsideration of his placement in the integrated program of instruction in case of his repeated failure to adjust and succeed.

(d) A pupil at the secondary level (comparable in chronological age to pupils enrolled in grades seven through twelve of the regular class program) participating in the program shall:

(1) Receive a minimum of two class periods of forty minutes each under the immediate supervision of the special class teacher, with the remainder of the program day under the general supervision of the special class teacher.

(2) Have the benefit of the provisions of subsections (a)(2) through (a)(5).

The pupils who are involved in an integrated program are enrolled in a program for the learning handicapped. The attendance for the special support allowance described in Education Code sections 18102.2 and 18102.4 will be maintained by the special class teacher. When the pupil leaves the special class to participate in a regular class, the regular class teacher does not claim any attendance for apportionment of state funds while the pupil is in the regular class. All attendance for apportionment of state funds in this instance is developed in the special education class. The attendance is reported with the rest of the attendance on forms J-18-P1; J-18-P2; J-18-A; J-19-P1; J-19-P2; J-19-A; and forms J-22-P1; J-22-P2; and J-22-A.

## Provisions for the Physically Handicapped

The definitions and requirements pertinent to programs for the physically handicapped are contained in the following sections of the Education Code:

***Authority to Make Special Provisions; "Physically Handicapped Pupil" Defined*** [EC56700; 78701]

EC6801. Subject to the provisions of this article and Section 894, the governing board of any school district may make such special provisions as in its judgment may be necessary for the education of physically handicapped pupils. "Physically handicapped pupil," as used in this article means a physically defective or handicapped person under the age of 21 years who is in need of education.

***Pupils Considered Physically Handicapped*** [EC56701; 78702]

EC6802. Any pupil who, by reason of a physical impairment, cannot receive the full benefit of ordinary education facilities,

shall be considered a physically handicapped individual for the purposes of this chapter. Such pupils include the following, as defined by the State Board of Education:

(a) The deaf or hard of hearing.
(b) The blind or partially seeing.
(c) Orthopedic or health impaired.
(d) The aphasic.
(e) The speech handicapped.
(f) Other pupils with physical illnesses or physical conditions which make attendance in regular day classes impossible or inadvisable.
(g) Pupils with physical impairments so severe as to require instruction in remedial physical education.
(h) Multihandicapped.

***Programs for Physically Handicapped Pupils*** [EC56702; 78703]

EC6802.1. Programs for physically handicapped pupils are:

(a) Special day classes (elementary and secondary). A class established for a group of pupils with a similar handicapping condition defined in Section 6802. The special day class shall be maintained for at least the minimum schoolday. The class shall be taught by a full-time teacher whose responsibility is to teach pupils enrolled in the class for the schoolday established by the governing board for regular classes at the grade level of the pupils in the special day class who are at the highest grade level in the class.

(b) Regular day class program. A program of assistance to physically handicapped pupils enrolled in regular day classes who require special services and equipment beyond the services provided to pupils not determined to be physically handicapped to benefit fully from the regular classroom instruction. Such services may include, but are not limited to, supplemental teaching, transportation, teaching aides and specialized equipment.

(c) Integrated instructional programs. A program in which physically handicapped pupils who receive their education in regular classrooms from regular teachers, but receive, in addition, supplementary teaching services of a full-time special teacher credentialed to teach physically handicapped pupils of the type enrolled in the program. Such special teacher shall serve within the employing or other district being served, such physically handicapped pupils for the full schoolday established by the governing board for regular pupils in the public school or public schools enrolling such physically handicapped pupils.

(d) Remedial instruction. A remedial class providing physically handicapped pupils who are excused in small numbers, for not to exceed one class period or one hour from their regular or special program, remedial instruction or remedial physical education.

(e) Individual instruction. A program of individual instruction to physically handicapped pupils in hospitals, sanitariums, preventoriums, in the home, or under other circumstances as defined by the State Board of Education.

(f) Special speech instruction through speech aides. In counties having a total average daily attendance of less than 30,000 or defined as class five through class eight counties, inclusive, by Section 756, a program of remediation for speech-handicapped pupils may be conducted through the use of specially trained instructional aides in structured programs of language and articulation under the direction and guidance of a credentialed speech therapist. Reimbursement for such speech instruction shall be as provided by subdivision (j) of Section 18102.9. No more than two speech aides may be supervised by one speech therapist. The therapist shall be responsible for establishing goals and objectives and evaluating the aide's performance.

***Maximum Class Size for Special Day Classes; Waiver*** [EC56703;78704]

EC6802.2. The maximum size for any special day class authorized by subdivision (a) of Section 6802.1 is as follows:

| Types of pupils in class | Ages 3 through 8 years | Ages 9 through 20 years |
|---|---|---|
| Deaf | 6 | 8 |
| Severely hard of hearing | 8 | 10 |
| Combination of deaf and severely hard of hearing | 6 | 8 |
| Blind | 8 | 10 |
| Partially seeing | 10 | 12 |
| Combination of blind and partially seeing | 8 | 10 |
| Orthopedic or other health impaired | 12 | 16 |
| Aphasic | 6 | 8 |
| Other physically handicapped | — | 20 |
| Deaf-blind multihandicapped | 3 | 5 |
| Other multihandicapped | 6 | 8 |

The State Board of Education may waive the maximum class size standards prescribed by this section whenever it approves a project submitted by a school district or county superintendent of schools to conduct experimental studies to determine the proper maximum class size standards.

If, after the beginning of the school year, it is determined that classes for a given category of physically handicapped pupils are at maximum size, that additional such pupils will be without schooling unless additional classes are established, and that additional qualified teachers are not available for employment, or additional classroom space is not available, a school district or a county superintendent of schools may request permission of the Superintendent of Public Instruction to exceed the maximum class size for the remainder of the school year, using the form provided for this purpose by the Department of Education. The superintendent may approve such request for the remainder of the school year, providing the maximum size is not increased by more than two pupils of that provided herein, and the requesting district has consulted with the specific teacher involved. Such approval, when based on a lack of additional classroom space, shall not be given for any school year commencing July 1, 1977, or thereafter.

***Contracts with Other Districts or County Superintendent of Schools for Education*** [EC56709; 78710]

EC6806. Subject to the provisions of Section 894, any school district, other than a community college district, which does not maintain facilities for the education of physically handicapped pupils shall enter into a contract with a school district in the same county, or a county superintendent of schools maintaining such facilities. A community college district may enter into such a contract. If there is no district in the same county or county superintendent of schools maintaining such facilities, the governing board of the school district shall enter into a contract with a school district maintaining such facilities in any other county. If the governing board of the district should determine the same to be more economical and practical, it may enter into a contract with a school district situated in another county, in lieu of entering into a contract with the county superintendent of schools or a school district in the county in which such district is situated.

If any question arises concerning the adequacy of the facilities provided for the education of physically handicapped pupils by the school district in which the child is actually living, the parent or guardian of such child may appeal to the county superintendent of schools, and if the county superintendent of schools determines that the facilities offered are inadequate, he shall order the school district in which the child is actually living either to provide the facilities or enter into a contract with a school district maintaining adequate facilities.

Such contract shall provide for the payment of the cost of tuition by the district in which the physically handicapped pupil actually lives and may provide for payment of the cost of the use of the buildings and equipment. The cost of tuition shall not be greater than the difference between current expenditures per unit of average daily attendance, including transportation, for the education of a pupil in the particular category of physically handicapped pupils to which the pupil belongs and the apportionment of state funds for the education of physically handicapped pupils in that category.

The amount shall be determined not later than the last Monday in December and the last Monday in May of each year by the county superintendent of schools of the county in which the child attends schools and certified to the superintendent of schools having jurisdiction over the schools of the school district in which the child actually lives. The

amount shall be forthwith paid from any funds of the school district available for that purpose.

The attendance records of such pupils must be kept separate from the attendance records of the district in which the pupil attends class. The a.d.a. is credited back to the district of residence for the purposes of establishing the base revenue limit. The district of attendance reports the attendance for the guaranteed additional allowance through supplemental reports and on Form J-22 period and annual reports. The additional allowance is computed according to Education Code Section 18102:

**Computation of Allowances for Physically Handicapped Pupils** [EC41882; 84832]

EC18102. The Superintendent of Public Instruction shall allow to each school district or county superintendent of schools for the education of physically handicapped pupils in special classes during the current fiscal year an amount computed as follows:

(a) He shall divide the average daily attendance in each particular class size category by the maximum class size established for each particular class size category, and increase the quotient to the next highest integer where a fractional amount is produced.

(b) He shall then determine for each particular class size category the product of the amount computed under subdivision (a) multiplied by the maximum class size established by law for special day classes for the particular category.

(c) He shall then multiply the amount computed under subdivision (b) by the following amount of the particular level and category:

| Category | Elementary grades (K-8) | High school grades (9-12) | Community college grades (13-14) |
|---|---|---|---|
| Physically handicapped | | | |
| Class-size maximum of 3 .. | $5,400 | – | – |
| Class-size maximum of 5 .. | 3,100 | $2,965 | $2,810 |
| Class-size maximum of 6 .. | 2,520 | – | – |
| Class-size maximum of 8 .. | 1,800 | 1,670 | 1,510 |
| Class-size maximum of 10 .. | 1,370 | 1,240 | 1,080 |
| Class-size maximum of 12 .. | 1,085 | 950 | 800 |
| Class-size maximum of 16 .. | 725 | 590 | 435 |
| Class-size maximum of 20 .. | – | 375 | 220 |

***Regulations to Categorize Pupils Into Elementary and Secondary Grades*** [EC56710]

EC6806.1. The Superintendent of Public Instruction shall adopt regulations (a) to prescribe the conditions under which the education of physically handicapped pupils shall be the responsibility of either the elementary schools or the high schools maintained by school districts, and (b) to determine when such pupils who are in classes maintained by a school district, or a county superintendent of schools, shall be designated in elementary or secondary grades for attendance and state apportionment purposes.

***Minimum Age*** [EC56713]

EC6809. Physically handicapped pupils may be admitted at the age of three years, or upon the prior approval of the Superintendent of Public Instruction, may be admitted at the age of 18 months, to special schools or classes established for such pupils.

When the school district of residence of a pupil between the ages of three and six years who is deaf, blind, orthopedic or other health impaired, aphasic, or multihandicapped does not maintain a special class in the category of the pupil's handicapping condition, but such a special class or special school is maintained by the county superintendent of schools or by another school district, such a pupil shall be admitted to a special school or special class so maintained when all of the following circumstances exist:

(a) The pupil is eligible for enrollment under the regulations of the county superintendent or the governing body of the district maintaining such special class, as applicable.

(b) The governing board of the district or the county superintendent maintaining the special day class is willing to admit the pupil.

(c) The parents of the pupil file a written request that the pupil be so admitted and a physician's statement that the pupil is physically able to attend such a class. Such request and statement shall be filed with the district superintendent of schools when the class is maintained by a school district or with the county superintendent of schools when the class is maintained by the latter.

If a pupil is admitted pursuant to this section, the district of the pupil's residence shall enter into a contract as provided by Section 6806, and the provisions of Section 6806 with respect to payment of cost of tuition and the cost of buildings and equipment shall apply.

***Places of Instruction: Speech and Hearing Disorders*** [EC56716; 78715]

EC6812. Subject to the provisions of Section 894 physically handicapped pupils may be instructed in special schools or special classes, in hospitals, sanatoriums, or preventoriums, in the home through the employment of home instructors, by cooperative arrangement with the Department of Rehabilitation, or by any other means approved by the State Department of Education.

Pupils with speech disorders or defects may be admitted at school for individual instruction, or small group instruction of four pupils or less, for the purpose of remedying such speech disorders or defects. With the prior approval of the Superintendent of Public Instruction, such pupils may be admitted at the age of 18 months for such instruction.

Pupils who are deaf or hard of hearing, as determined by the State Board of Education, and between the ages of three years and six years may be admitted at school for individual instruction or be instructed in the home through the employment of a home instructor, provided there are fewer than five such educable pupils in the community making the establishment of a special day class impracticable, or the establishment of a special day class for such pupils is impracticable because there are fewer than five such pupils in the community within reasonable travel distance of a school suitable for the establishment of such a special day class, and provided, further, that such instruction is afforded by a teacher or home instructor possessing full qualifications for the credential to teach deaf pupils as prescribed by the regulations of the State Board of Education. With the prior approval of the Superintendent of Public Instruction such pupils may be admitted at the age of 18 months for such instruction.

***Special Day Classes for Multihandicapped Pupils*** [EC56717]

EC6812.1. Pupils between the ages of 3 and 21 and who are multihandicapped, as determined by the State Board of Education, may be enrolled in special day classes for the multihandicapped conducted by a school district or county superintendent of schools. Special day classes for multihandicapped pupils shall be approved in advance by the Superintendent of Public Instruction.

The Superintendent of Public Instruction shall approve not more than 100 classes during the 1970–1971 fiscal year and not more than 50 additional classes each fiscal year thereafter, not to exceed a total of 400 classes.

The Superintendent of Public Instruction shall report annually to the Legislature the progress being made in the

education of multihandicapped pupils including but not limited to, the number of authorized classes, the numbers of pupils enrolled, the nature of handicapping conditions of pupils enrolled in classes, a description of the instruction being provided, objectives of the program, achievement outcomes, and recommendations for further program development.

***Experimental Programs*** [EC56160]

EC6812.5. Pupils who are deaf, severely hard of hearing, blind, deaf-blind, or other multihandicapped pupils as determined by the State Board of Education, and who are between the ages of 18 months and 3 years, may be enrolled in experimental programs conducted by a school district or county superintendent of schools. Experimental programs for such minors shall be approved in advance by the Superintendent of Public Instruction and shall be conducted in accordance with rules and regulations established by him. Instruction in such experimental programs shall be afforded by a teacher possessing full qualifications to teach deaf, severely hard-of-hearing, blind, deaf-blind, or other multihandicapped pupils as prescribed by rules and regulations of the Commission for Teacher Preparation and Licensing.

Notwithstanding any provision of this code to the contrary, attendance of deaf, severely hard-of-hearing, blind, deaf-blind, or other multihandicapped pupils enrolled in experimental programs authorized by this section shall be credited to the school district or county superintendent of schools providing such instruction in the same manner as authorized for minors receiving special schooling pursuant to this chapter and Article 9 (commencing with Section 894) of Chapter 4 of Division 3.

Notwithstanding any provision of this code to the contrary, computations of allowances and apportionments from the State School Fund for deaf, severely hard-of-hearing, blind, deaf-blind, or other multihandicapped pupils enrolled in experimental programs authorized by this section shall be credited to the district or county superintendent of schools providing such instruction in the same manner as authorized for pupils receiving special schooling pursuant to this chapter and Article 9 (commencing with Section 894) of Chapter 4 of Division 3.

Notwithstanding any provision of this code to the contrary, physically handicapped pupils as described in Section 895.8 shall include deaf, severely hard-of-hearing, blind, deaf-blind, or other multihandicapped pupils enrolled in experimental programs authorized by this section.

***Programs for Children Ages 18 Months to 3 Years*** [EC56161]

EC6812.6. Physically handicapped pupils who come within any one or more of subdivisions (a), (b), (c), (d), (e), and (h) of Section 6802 and who are between the ages of 18 months and 3 years, may be enrolled in experimental programs conducted by a county superintendent of schools upon the prior approval of the Superintendent of Public Instruction pursuant to this section. Experimental programs for such pupils shall be conducted in accordance with rules and regulations established by the Superintendent of Public Instruction.

In no case shall the Superintendent of Public Instruction authorize more than one such experimental class in a county, and no more than five county superintendents of schools may conduct programs pursuant to this section.

Notwithstanding any provisions of this code to the contrary, transportation allowances for such pupils and computations of allowances and apportionments from the State School Fund for such pupils shall be credited to county superintendents of schools providing instruction pursuant to this section, in the same manner as authorized for pupils receiving special schooling pursuant to this chapter and Article 9 (commencng with Section 894) of Chapter 4 of Division 3; provided, that the total of all such allowances and apportionments made for each fiscal year pursuant to this section shall not exceed one hundred twenty-five thousand dollars ($125,000).

This section shall remain in effect only for a period of two years following the effective date of its enactment and shall have no force or effect on or after such date.

The Superintendent of Public Instruction shall, not later than January 1, 1976, report to the Legislature with recommendations regarding the extension of this section.

***Experimental Program for Deaf or Severely Hard-of-Hearing Children*** [EC56161.5]

EC6812.7. The governing board of any school district or a county superintendent of schools, with the approval of the county board of education and the Superintendent of Public Instruction, may establish and maintain an experimental program for deaf or severely hard-of-hearing children who are at least six months of age. Not more than two such experimental programs shall be established pursuant to this section. Program approval shall be given to such school district or county superintendent of schools which is presently operating such a program or which is otherwise prepared to undertake the type of program authorized by this section.

With the approval of the Superintendent of Public Instruction, these experimental programs shall be permitted to operate differently from regular class programs. The Superintendent of Public Instruction may, upon application of the governing board or county superintendent of schools, as the case may be, waive such provisions of the Education Code as he deems necessary in order to provide the necessary flexibility for these experimental programs.

It is the intent of the Legislature that, in connection with these experimental programs, proper recognition be given to the needs of parents, through provision of parents' home training and parent counseling, the audiological needs of the child, and the purchase of necessary supplies and equipment. The Legislature also intends that proper recognition be given to the need for the promotion and initiation of early identification activities. However, for the purposes of these experimental programs, it is not intended that actual identification activities be undertaken of the infant population at large.

The Superintendent of Public Instruction shall prepare and submit to the Legislature 24 months after initiation of such a program, but no later than July 1, 1974, an interim evaluation report of the results of the programs, and no later than June 30, 1975, a final evaluation report of the results of the programs. Authorization to conduct such experimental programs shall expire on July 30, 1975.

***Credit for Attendance for Classes in Hospitals, Sanatoriums, and Preventoriums*** [EC56718; 78717]

EC6813. Subject to the provisions of Section 894 special classes or individual instruction provided for pretuberculous, tuberculous, convalescent, or other physically handicapped pupils in hospitals, sanatoriums, and preventoriums, may be maintained in the institutions within or without the school district, and the attendance of pupils in the institutions shall be credited to the district providing the instruction. The minimum schoolday for such classes is 180 minutes.

***Expenditures for Pupils With Cerebral Palsy*** [EC56720]

EC6815. Subject to the provisions of Section 894 a pupil with cerebral palsy may attend a special school or class maintained by any school district for minors with cerebral palsy. The governing board of the district of residence shall pay to the district of attendance at the close of each school year the total current expenditures of the district of attendance, for the education of such pupil during such school year, less all apportionments of state and federal funds made on account of the attendance of such pupils. The governing board of the district of residence may agree to reimburse the district of attendance for use of buildings and equipment. If the district of residence has insufficient funds to make such payment, the county superintendent of schools having jurisdiction over the district of residence shall apportion to the district from the county school service fund such sum as may be necessary to permit the district to meet its obligation under this section.

***Determination of Allowances*** [EC56721; 78718]

EC6816. The Superintendent of Public Instruction shall prescribe the procedures for qualifying for, and shall determine the amount of the allowances for special regular day classes and for the authorized instruction in other than special regular day classes of physically handicapped pupils.

***Education of Pupils in Hospitals or Sanatorium; Minimum School Day*** [EC56750; 79130]

**EC6851. Whenever a school district maintains a school or classes at a tuberculosis or polio ward, hospital or sanatorium established and maintained by a county or group of counties, any person who has been admitted to such ward, hospital or sanatorium is, if otherwise qualified, eligible to attend such school or classes but shall be deemed to be, for the purposes of this code, a resident of the school district in which he resided prior to his admission to such tuberculosis or polio ward, hospital or sanatorium.**

**The minimum schoolday for such classes is 180 minutes. Whenever two or more districts are authorized and operate such schools or classes the governing boards of the districts may jointly employ personnel to administer and conduct the programs.**

**The school district maintaining the school shall, no later than 30 days following the date of enrollment of a student who resides in another school district under this section, notify the district of residence of the student's enrollment.**

***Determination and Payment of Cost of Education*** [EC56751; 79131]

EC6852. The cost for a school year of educating any person who attends such a school or class and who is deemed to be a resident of the district in which he resided prior to his admission to such tuberculosis or polio ward, hospital, or sanatorium shall be paid by the school district of which any such person is a resident to the district maintaining a school or class in which such person is enrolled pursuant to this article.

Pupils in such schools or classes shall be apportioned excess cost apportionments for handicapped pupils as stated elsewhere in this code.

The Superintendent of Public Instruction shall adopt standards and regulations relating to administration, attendance, accounting and counseling in hospital schools and classes.

No interdistrict attendance agreement is required for the attendance described by this section but the provisions of Article 7 (commencing with Section 10900) of Chapter 1 of Division 9, relating to crediting average daily attendance and tuition, shall apply to such attendance.

***Forwarding and Payment of Claim*** [EC56752; 79132]

**EC6853. Not later than July 15th of each year, the district maintaining such school or classes shall forward its claim to the district of residence, for the cost of educating persons who are residents of such district during the preceding school year, and the governing board of such district shall upon the receipt thereof pay such claim.**

When a pupil is given instruction in a hospital or sanitorium outside his or her district of residence, the district of attendance may (1) take the a.d.a. for its revenue limit and foundation program and not charge a tuition; or (2) charge a tuition and have the a.d.a. credited to the district of residence. The amount of tuition is determined in the same manner as for interdistrict attendance agreements, and the adjustment of tuition to the revenue limit of the district of residence is the same as required for interdistrict attendance agreements.

## Responsibilities of the County Superintendent of Schools

Classes for the physically handicapped may be conducted by the county superintendent of schools, according to the following sections of the Education Code:

***Establishment of Programs for Physically Handicapped Pupils*** [EC1850]

EC894. The county superintendent of schools shall, under the direction of the county board of education, establish and maintain programs for physically handicapped pupils who come within the provisions of Section 6801 or 6802, including orthopedic or other health-impaired, visually handicapped, aurally handicapped, or multihandicapped, and who reside in the county and in elementary or unified school districts which have an average daily attendance of less than 8,000 in the elementary schools of the districts or in unified or high school districts which have an average daily attendance of less than 8,000 in the high schools of the districts, whenever such districts have not provided nor entered into contract with other districts to provide such programs.

Such program shall, with the approval of the county board of education, be provided in one or more of the following ways:

(a) In special schools or classes of elementary and secondary grade and in remedial classes of elementary and secondary grade.

(b) By the employment of emergency teachers to provide special instruction in the regular schools of the districts of the county.

(c) By the maintenance of special classes of secondary grade.

(d) By the employment of home instructors to give individual instruction in the home or at the bedside in institutions, and by the employment of instructors to provide remedial instruction for physically handicapped pupils in regular special day, and special training schools or classes which he may be authorized to conduct, and by the employment of instructors to provide individual instruction for pupils with speech disorders or defects who are at least three years of age for the purpose of remedying such speech disorders or defects.

(e) By cooperation with the Department of Rehabilitation in the provision of individual instruction and coordination services.

(f) By contract with the county superintendent of schools of another county or with the governing board of any school district.

(g) In integrated programs of instruction of elementary or secondary grade.

(h) By the employment of instructors to provide individual instruction, subject to the provision of Section 6812, in schools or in the homes of pupils who are deaf or hard of hearing, as determined by the State Board of Education, and between the ages of three and six years of age.

The county superintendent of schools may establish and maintain programs for the physically handicapped pupils who come within the provisions of Section 6801 or 6802 and who reside in any district within the county with the approval of the county board of education and the agreement of the local governing board of the school district. Such programs may be carried out in accordance with subdivisions (a), (c), (f), (g), and (h).

Such schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them. In an instance where it would be impractical because of the transportation distances existing to bring a sufficient number of physically handicapped pupils within the meaning of Section 6801 or 6802 together in one place to form a school or special class, the county superintendent of schools, upon the annual approval of the Superintendent of Public Instruction, may defer compliance with the provisions of this section for the year in question.

Any elementary or unified school district which has an average daily attendance of less than 8,000 in the elementary schools of the district and any unified or high school district which has an average daily attendance of less than 8,000 in the high schools of the district, with the approval of the county superintendent of schools, may establish and maintain programs for the physically handicapped who come within the provisions of Section 6801 or 6802.

The county superintendent of schools required to provide for the education of physically handicapped pupils residing in the county who come within the provisions of Section 6801 or 6802 may, with the approval of the Superintendent of Public Instruction, enter into agreements with an elementary, unified, or high school district for the latter to provide for the education of such physically handicapped pupils.

***Agreements for Provision of Remedial Classes*** [EC1852]

**EC894.1. The county superintendent of schools may, with the approval of the county board of education, enter into an agreement with the governing board of any school district under his jurisdiction for the education in remedial classes of physically handicapped pupils who are excused from regular classes for a portion of a class period. The cost of the education to the school district shall not exceed the actual cost thereof to the county superintendent of schools.**

***Reports on Education of Physically Handicapped*** [EC1853]

**EC894.2. Each county superintendent of schools providing for the education of physically handicapped children pursuant to this article shall report annually to the Superintendent of Public Instruction on forms provided by him the total average daily attendance of physically handicapped pupils by types of instruction provided, the cost of educating the pupils, and such other information as may be required, for each elementary and high school district in which the education is provided.**

***Computation of Average Daily Attendance at Elementary Schools*** [EC1855]

**EC894.4. For purposes of Section 894, the average daily attendance of the elementary schools of the district shall be computed by excluding the average daily attendance of pupils attending the seventh and eighth grades of a junior high school maintained by a high school district.**

Separate report forms (J-27-P1 and J-27-P2) must be filed for each school program or class that is conducted for physically handicapped pupils at the elementary school level for which the county superintendent of schools believes a small school foundation program allowance is appropriate.

## Admission to Programs for the Physically Handicapped

Admission to programs for the physically handicapped is discussed in the following sections of the Education Code:

***Pupil Representative on Admission Committee*** [EC56706; 78707]

EC6803.3. Whenever any pupil is being evaluated for placement in a program conducted pursuant to this chapter by an admission committee established by a school district or county superintendent of schools, the parent or guardian of the pupil may have a physician, optometrist, psychologist, social worker, or teacher, whether certificated or not, represent the pupil and present additional material, if any, to assist the admission committee in its determination with respect to the pupil.

The representative so selected shall have no decisionmaking power with respect to any determination to be made by the admission committee. The representative so selected may be an employee of the school district.

***Exemption From Instruction Upon Statement by Parent*** [EC56719]

EC6814. No pupil shall be required to take advantage of the special provisions for the education of physically handicapped pupils if the parent or guardian of the pupil files a statement with the governing board of the school district showing that the pupil is receiving adequate educational advantages.

## Attendance Accounting Procedures in Programs for the Physically Handicapped

Procedures for attendance accounting in programs for the physically handicapped are as follows:

5CAC409. Deduction of Attendance of Pupils in Remedial Classes Maintained by a County Superintendent. (a) In the case of a school district pupil who is also enrolled in a remedial class for physically handicapped minors maintained by the county superintendent of schools pursuant to Education Code Section 891 or Section 894.1, the attendance credited for such pupil in the remedial class shall be deducted from the apportionment attendance of the school district class from which he was excused to attend the remedial class. The amount of attendance so deducted shall be credited to the county school service fund.

(b) In the case of a pupil enrolled in a remedial class for physically handicapped minors maintained by the school district, no deduction on account of his attendance in the remedial class shall be made from the attendance in the class from which he was excused to attend the remedial class.

***Computation for Physically Handicapped Elementary Pupils*** [EC46360]

EC11551. The average daily attendance of physically handicapped elementary pupils given instruction by a county superintendent of schools and whose attendance is credited to the county school service fund, shall be computed by dividing the total days of attendance of such pupils during the fiscal year by 175.

***Computation for Physically Handicapped Secondary Pupils*** [EC46361]

EC11552. The average daily attendance of physically handicapped pupils of secondary grade given instruction by a county superintendent of schools and whose attendance is credited to the county school service fund, shall be computed by dividing the total days of attendance of such pupils during the fiscal year by 175.

***Day of Attendance and Computation of Average Daily Attendance*** [EC46500; 76330]

EC11201. Attendance of physically handicapped pupils in a graded special class for the same number of minutes as constitute a day of attendance in the same grade of regular classes shall constitute a day of attendance, except for such minors 16 years of age and over who are enrolled in an approved occupational training program or work experience education program. Each clock hour of teaching time devoted to individual instruction of physically handicapped pupils shall count as one day of attendance. Whenever one to four physically handicapped pupils are instructed at the same time by the same teacher in a remedial class conducted by a school district or the county superintendent of schools, the total attendance credited for such pupils shall equal one unit of attendance for each 60 minutes of instruction. The average daily attendance of all physically handicapped pupils shall be computed by dividing the total number of days of attendance of the pupils by the number of days taught in the regular schools of the district.

Notwithstanding any provision of this code to the contrary, however, when a physically handicapped minor 16 years of age or over is enrolled in an approved occupational training program pursuant to Sections 6931 and 6932 of this code, two clock hours of attendance in a special day school or class in combination with two clock hours of attendance in such an occupational training program shall count as one day of attendance.

Notwithstanding any provision of this code to the contrary, however, when a physically handicapped minor 16 years of age or over is enrolled in an approved off-campus work experience education or work study program, one day of attendance may consist of either: (a) two class hours of attendance in a special or regular day class and two clock hours of attendance in such a program; or, (b) three class hours of attendance in a special or regular day class and one clock hour of attendance in such a program.

No such pupil shall be credited with more than five days of attendance per calendar week or more than the number of calendar days such special day school or class is maintained in such fiscal year.

***Individual Instruction: Minors with Speech Defects*** [EC46501; 76331]

EC11202. With respect to physically handicapped pupils given instruction at home or in a hospital or in the case of minors with speech disorders or defects who may be admitted at the age of three years for individual or small group instruction of four pupils or less at the school, each clock hour of teaching time devoted to the instruction of such pupils shall count as one day of attendance. No provision of this chapter (commencing at Section 10951) of this code limiting the number of days of attendance with which a pupil may be credited in any one calendar day is applicable to such pupils but no such pupil shall be given individual instruction for more than three hours in any one day or credited with more days of attendance for individual instruction during any fiscal year than the number of legal calendar days school may be maintained during such fiscal year.

***Annual Report of Attendance*** [EC46502; 76332]

EC11203. The attendance of all physically handicapped pupils given instruction by a school district, including those instructed under co-operative arrangements with the Bureau of Vocational Rehabilitation of the State Department of Education, shall be reported annually to the county superintendent of schools together with all other attendance on forms provided by the Superintendent of Public Instruction.

***Credit for Attendance When Instructed by County Superintendent*** [EC1870]

EC11204. The attendance of physically handicapped pupils

instructed by the county superintendent of schools pursuant to Section 894 shall be credited as follows:

(a) The attendance of elementary school pupils taught in emergency elementary schools and in special classes shall be credited to the emergency schools.

(b) The attendance of elementary school pupils given individual instruction in the home or at the bedside in institutions and of minors with speech disorders or defects who are at least three years of age and of minors who are deaf or hard-of-hearing and between the ages of three and six years and given individual instruction, subject to the provisions of Section 6812, in school or in the home or by cooperative arrangements with the Division of Vocational Rehabilitation of the State Department of Rehabilitation or in remedial classes or in integrated programs of instruction shall be credited to an emergency elementary school maintained for physically handicapped pupils, if such a school is maintained in the county, or if no such school is maintained in the county the attendance shall be credited to an emergency elementary school maintained in the county, but not to more than one emergency elementary school. If no emergency school is maintained in the county, the total number of days of attendance of pupils shall be divided by 175 to compute average daily attendance, and the average daily attendance so computed shall be credited to the county school service fund as attendance upon a single emergency elementary school for individual instruction of physically handicapped children.

(c) The attendance of pupils of secondary grade given individual instruction in the home or in institutions or by cooperative arrangement with the Division of Vocational Rehabilitation of the State Department of Rehabilitation, or instructed in special classes of secondary grade or in remedial classes or in integrated programs of instruction of secondary grade pursuant to Section 894, shall be credited to the county school service fund.

(d) The attendance of pupils taught by emergency teachers in the regular schools of the districts of any county shall be credited to the districts, except that the attendance of pupils taught by emergency teachers pursuant to Section 891.1 in the regular elementary schools of the district of any county and the attendance of elementary pupils in remedial classes pursuant to Section 894 shall be credited to the county school service fund in accordance with subdivision (b) of this section.

(e) The attendance of pupils residing in one county and educated under contract with the county superintendent of schools or governing board of a school district of another county, shall be credited to the county school service fund of the county, or district, in which the pupils are educated.

(f) If the county superintendent of schools maintains an integrated program of instruction as defined in Section 18060.2 and contracts with a school district to provide instruction for part of the day in the regular classes of the district, the total attendance of pupils in such program shall be credited to the county school service fund at both the elementary and secondary

Additional attendance accounting procedures for classes for the physically handicapped are as follows:

*Kindergarten Classes.* Attendance accounting procedures for physically handicapped kindergarten pupils are the same as for elementary school pupils, except that 180 minutes constitute the statutory apportionment day. Attendance for pupils in kindergarten and elementary school grades is reported with elementary school attendance for physically handicapped pupils on the annual and period state attendance forms.

*Regular Day Classes in Elementary and Secondary Schools.* Attendance of physically handicapped pupils enrolled in regular day classes established for physically nonhandicapped pupils is recorded in the same manner as for physically nonhandicapped pupils on the same level of education except that each such pupil is identified with the initials PH after his or her name wherever it appears in the State School Register or on other approved attendance forms. A special summary of attendance data must be prepared for such pupils so that all annual and period reports may show the attendance of physically handicapped pupils separately from the totals of attendance of pupils in regular day classes. A minimum day and regular apportionment day for physically handicapped pupils is the same as for physically nonhandicapped pupils enrolled in the same regular day classes.

*Remedial Classes for Pupils Enrolled in Regular Day Classes.* The State School Register: Remedial Education may be used in recording the attendance of physically handicapped pupils in remedial classes. Such registers are labeled "Remedial Class for Physically Handicapped Pupils." The special teachers record actual minutes of attendance, and no absence except verified absence due to illness or quarantine may be shown in the register. Attendance may be kept either on the positive or negative basis. The monthly column totals on such registers are in terms of minutes but must be converted into days of attendance by dividing by 60, 180, 200, 230, or 240, according to grade level and type of instruction. Each physically handicapped pupil who is excused from his or her regular class to attend remedial classes is also carried on the State School Register, or its approved substitute, for the regular class.

In their annual and period reports (J-18-P1, P2, and A; and J-19-P1, -P2, and -A), elementary school principals, district superintendents, and city and county superintendents do not include the total attendance of physically handicapped pupils accumulated while attending remedial classes as taken from the separate registers. The apportionment attendance for remedial class attendance is reported only on Form J-22.

It is suggested that the school prepare and keep in the office separate school registers, or individual cards if approved for central attendance accounting, for remedial classes. If this is done, the procedure for assembling remedial classes on the call of the special education teacher is simplified, and the special teacher can give more time to the children.

An apportionment day for physically handicapped pupils who are assigned to remedial instruction is the same as that for physically nonhandicapped pupils on the same grade level of education except as follows:

1. When a remedial class consists of one to four pupils, the class is considered to be individual instruction, and the minutes of attendance are assigned to *one* pupil in the group. The minutes of attendance are converted to days of attendance by using a divisor of 60.
2. When a remedial class consists of five or more pupils, the minutes of attendance are assigned to each member of the group. The appropriate grade level divisor is used to convert the minutes of attendance to days of attendance.

In order to establish remedial classes, especially classes for those with speech deviations, it is necessary for the special teacher to survey all or part of the pupils in the school. When

such surveys are made, the time spent by the special education teacher during the survey with the pupils who are selected to attend such a class is credited to a remedial class for those pupils who qualify as physically handicapped. The entire salary of the special teacher and other costs are included in reports to request additional allowances (Form J-26).

Average daily attendance for time spent in remedial classes is computed by dividing the total days of attendance in such classes by the number of days school was maintained by the regular school in which the classes were taught.

*Remedial Classes for Pupils Enrolled in Special Education Classes.* When pupils who are enrolled in special classes for the physically handicapped are removed from such classes for remedial instruction because of physical handicaps, such as that to correct speech deviations, their attendance shall be recorded as follows:

1. The time in minutes spent in the remedial class shall be accounted for on a daily basis by the remedial class teacher.
2. The days of apportionment attendance accrued in the remedial class shall be reported on the Form J-22 annual and period reports only. Do not include any remedial attendance on forms J-18 or J-19 or period reports.
3. When remedial classes are provided by the office of the county superintendent of schools, the district reports shall be reduced by the amount of a.d.a. generated in the county remedial classes. Such a.d.a. will be reported to each district by the office of the county superintendent of schools so that the reports are correct.

*Provisions for Individual Instruction for Physically Handicapped Pupils.* The governing board of any school district may provide individual instruction for physically handicapped pupils in the home or at the bedside in institutions. A county superintendent of schools may provide individual instruction for those pupils who are deaf or hard of hearing and pupils with speech deviations who are at least three years of age who otherwise would be denied proper educational advantages.

Attendance for physically handicapped pupils given individual instruction is recorded in a separate State School Register: Remedial Education or on other attendance forms that are clearly labeled "PH Pupils Given Individual Instruction." Such attendance is shown in terms of actual minutes of enrollment, and no absence is charged except when such absence equals the full enrollment period.

Sixty minutes of instruction constitute a day of attendance for excess expense purposes for physically handicapped pupils given individual instruction. Attendance of physically handicapped pupils given individual instruction is reported on the elementary teacher's annual and period reports; on the annual reports of the elementary and high school principal; and on the superintendent's annual and period attendance reports.

Average daily attendance is computed by dividing the total number of days of attendance by the number of days school was taught in the regular day schools of the district. For apportionment purposes such a.d.a. is credited to the district furnishing the instruction. In the event instruction is furnished by a county superintendent of schools, the divisor for the annual report is 175. If the instruction is furnished by a county superintendent of schools, the average daily attendance is credited to an emergency school in the county. If there is no emergency school in the county, such attendance is credited to the County School Service Fund, and the apportionment of funds is made in the same manner in which apportionments are made for emergency schools.

*Special Day Schools or Special Day Classes for Physically Handicapped Pupils.* Special day schools or special day classes for physically handicapped pupils are those schools or classes maintained only for physically handicapped pupils who are not enrolled in any other schools or classes. Special day classes may be maintained for physically handicapped pupils by the governing board of a school district either separately or as part of a regular day school.

Attendance for physically handicapped pupils who attend special day classes is recorded in a State School Register or on other attendance forms which are clearly labeled "Special Day Class for PH Pupils." Such attendance may be kept either on the positive or negative basis but in a manner that is consistent with the technique used in other special education classes in the district. If the attendance is accounted for on the negative basis, the method is the same as the maintenance of attendance data for pupils who attend regular classes.

Attendance of physically handicapped pupils in special day classes is reported on the elementary teacher's annual and period reports; on the annual and period reports of the elementary and high school principals; and on the superintendent's annual and period attendance reports.

Any period of teaching time is counted for only the one pupil who is receiving the instruction, regardless of the presence of any other pupil during any part or all of any period.

*Transportation.* In addition to the regular special education allowances provided, an amount per unit of a.d.a. may be allowed for transportation costs to school districts or county superintendents of schools for some types of physically handicapped pupils attending special day classes and integrated programs of instruction (Education Code sections 18060 through 18062). Such cost of transportation is reported on forms J-22 and J-26.

### Integrated Programs of Instruction

Section 18060.2 of the Education Code authorizes integrated programs of instruction for children handicapped in vision or hearing as well as the physically impaired:

*Definitions* [EC41864; 84818]

**EC18060.2. As used in Section 18060, "blind" includes partially seeing, "deaf" includes hard of hearing, and "special day classes" includes integrated programs of instruction for physically handicapped children including those handicapped in vision or hearing where the services of a qualified special teacher are provided.**

**An integrated program of instruction for physically handicapped children including those handicapped in vision or hearing shall be defined as any program in which such physically handicapped children receive their education in regular classrooms from regular classroom teachers, but receive, in addition, supplementary teaching services of a full-time special**

teacher, possessing a valid credential to teach exceptional children of the type enrolled in the program. Such supplementary teaching services may include instruction in the appropriate tool skills, the provision of special materials and use of appropriate special equipment, and counseling and guidance necessary to enable physically handicapped children and those handicapped in vision and hearing to benefit fully from their instruction.

As used in this section, physically handicapped children means those physically handicapped children who are deemed eligible for special class placement as defined by the State Board of Education.

The Department of Education interprets Section 18060.2 as follows:

1. Integrated programs, as defined in Education Code Section 18060.2, are limited to children with physical handicaps.
2. Such children, although attending regular classes, must have the full-time teaching services of a supplementary teacher who possesses a valid credential to teach the type of exceptional child enrolled in the program.
3. "Full-time" means supplementary teaching services of the special teacher available to visually handicapped, aurally handicapped, and physically impaired pupils for at least a minimum school day.
4. Maximum enrollments in the integrated programs are the same as the limits on enrollments in special day classes for the blind, deaf, and physically handicapped.
5. The availability of a resource room with the provision of special materials and use of appropriate special equipment is essential in meeting the criteria for an integrated program.
6. For purposes of special transportation, itinerant teaching services to children handicapped in vision or hearing are not included in the definition of the integrated program.

It will be necessary to identify the attendance of children enrolled in integrated programs apart from that for other children who are physically handicapped and enrolled in regular classes. For this purpose the regular classroom teacher will use the initials PHT following each integrated pupil's name as recorded in the State School Register.

The foregoing references to the State School Register are intended to direct procedure. However, in elementary schools in which central attendance accounting is practiced, the individual attendance cards of the integrated pupils will be flagged so that the same information can be sorted for summarization and reporting on forms J-18-A, J-22, J-26, and J-73C.

In high schools that provide integrated programs, the attendance cards of the integrated pupils will be flagged so that the same reporting procedure as used in elementary schools will provide the breakdown of data required for completion of the "High School Principal's Annual Report" (Form J-19-A) and the "Special Education Cost Data Report" (Form J-26 and Form J-73C).

Children may be admitted to integrated programs from other school districts under interdistrict attendance agreements. Interdistrict attendance agreements are discussed in Chapter VII of this manual.

## Provisions for the Mentally Gifted

The requirements for programs for mentally gifted minors are described in the following sections of the Education Code:

***"Mentally Gifted Minor," "Program" and "Participating Pupil" Defined*** [EC52200]

EC6421. (a) "Mentally gifted minor," as used in this article, means a minor enrolled in a public primary or secondary school of this state who demonstrates such general intellectual capacity as to place him within the top 2 percent of all students having achieved his school grade throughout the state or who is otherwise identified as having such general intellectual capacity but for reasons associated with cultural disadvantages has underachieved scholastically.

(b) "Program" means a special educational program for mentally gifted children, including the identification of such children, which meets the standards established pursuant to this article and which is approved by the Superintendent of Public Instruction.

(c) "Participating pupil" means a pupil identified as a mentally gifted minor who for a school semester or a school year takes part in a program.

***Programs for Mentally Gifted Minors; Approval*** [EC52202]

EC6423. The governing board of any school district may provide programs for mentally gifted minors living in the district who are enrolled in kindergarten or grades 1 through 12 in the schools of the district and who may be expected to benefit from a program suited to their abilities. The governing board, subject to such terms and conditions as may be agreed upon, may contract with another school district for furnishing programs for such minors or may so contract for the education of such minors including the furnishing of such programs.

The county superintendent may, with the approval of the county board of education and the governing board of the school district, provide programs under the provisions of this article, and transportation therefor, for mentally gifted minors who reside in any school district. For such purposes the terms "school district" and "governing board of a school district," as used in this article, shall be deemed to include the county superintendent of schools.

"Programs," as used in this article, shall consist of a special day class, or special services or activities which are provided each participating pupil for an amount of time each week which shall average a minimum of one class period per day. A program may qualify for one semester of pupil participation if it consists of special services or activities which are provided each participating pupil for 200 minutes per week for 17 weeks through two semesters (to be reported at the end of the second semester) or for 60 hours per semester during eight or more weeks of a given semester or for 120 minutes per day for 20 days during a summer session. The State Board of Education shall define a special day class and the special services or activities which may be provided.

Beginning July 1, 1970, any proposed program for mentally gifted minors shall receive prior approval of the Superintendent of Public Instruction before any apportionment is made under this article.

***Nature of Program*** [EC52203]

EC6423.1. The governing board of any school district which provides a program for mentally gifted minors in accordance with Section 6423, may:

(a) Conduct programs, seminars and classes for mentally gifted minors, as defined in Section 6421, within or without

the boundaries of the school district and for that purpose employ instructors, supervisors, and other personnel and provide necessary equipment and supplies.

(b) Transport or arrange transportation of pupils, instructors, supervisors or other personnel to or from such places where such programs and classes are being conducted, whether within or without the district, but such transportation shall be within the state.

(c) For such purposes use such district facilities as are authorized under Article 6 (commencing with Section 6011) of this chapter for outdoor science and conservation education.

Attendance of pupils at such programs, seminars, and classes shall be included in computing attendance and average daily attendance of the district for the purposes of apportionments from the State School Fund.

***Authority to Enter Into Agreements for Conducting Services and Programs*** [EC52204]

EC6424. The governing board of a school district, in providing programs under this article, may enter into agreements with a county superintendent of schools for those appropriate services to districts authorized in Chapter 4 (commencing with Section 885) of Division 3 and for conducting programs for gifted minors enrolled in the schools of the district.

***Apportionment of Allowances; Limitations; Reports*** [EC52205]

EC6426. The Superintendent of Public Instruction, if he approves, shall apportion to each applicant school district or county superintendent of schools an amount equal to the following:

| Fiscal year | Amount per pupil participating in program for one school year |
|---|---|
| 1972–1973 | $70 |
| 1973–1974 | 80 |
| 1974–1975 | 90 |
| 1975–1976 and fiscal years thereafter | 100 |

The amount per pupil participating for one semester is one-half of the amount prescribed above for one year's participation.

The Superintendent of Public Instruction, if he approves, shall also apportion to each applicant school district or county superintendent of schools an amount equal to fifty dollars ($50) for each pupil identified as a mentally gifted minor.

Apportionments made during a fiscal year pursuant to this section shall not be made on account of more than 3 percent of the units of average daily attendance of pupils during the preceding fiscal year credited to all kindergartens and grades 1 through 12 in all of the schools and classes maintained by school districts and county superintendents of schools.

Each applicant school district or county superintendent of schools shall report to the Superintendent of Public Instruction as a part of the annual financial report the total income, including the amount apportioned for special programs and services for mentally gifted pupils during the year, the total number of such pupils participating in special programs or services, and the amount per special program or service expended for them. If the Superintendent of Public Instruction finds that the amount of state funds allocated are in excess of the expenditures, such excess shall be withheld pursuant to the provisions of Section 17414.

Because expenditures may fluctuate from year to year, it is appropriate for those offering a program for mentally gifted minors to request current funding information from the Department of Education.

## Master Plan for Special Education

California public schools employ two distinct service delivery systems in caring for individuals with exceptional needs. The first system is described throughout this chapter. The other system, commonly known as the Master Plan for Special Education, is now very limited in use. Until July 1, 1978, only ten responsible local agencies (RLAs) are authorized to use the Master Plan. It is now anticipated, however, that (1) other RLAs will be using the Master Plan beginning with the 1978-79 school year; and (2) all RLAs will be using the Master Plan in the 1981-82 school year.

The Master Plan for Special Education requires that data for funding be presented in a different way. Therefore, RLAs should be careful to separate instructions on enrollment and attendance for the two systems. Instructions on reporting enrollment and attendance under the Master Plan will be developed during the 1977-78 school year and will be distributed to all RLAs as supplement to this publication.

# Chapter VII Attendance Accounting in Special Situations

Previous chapters in this manual contain instructions on the attendance accounting procedures to be used in the situations that are most commonly encountered on a routine, day-to-day basis. Material in this chapter is concerned with attendance accounting in instances that rarely occur or in situations that exist in relatively few school districts. These special conditions are as follows:

- Adults in institutions
- Children in special situations
- Emergency attendance accounting
- Emergency elementary schools
- Interdistrict attendance
- Interstate attendance
- Juvenile hall schools and schools in juvenile homes and camps
- Residents of Mexico

## Adults in Institutions

The law authorizes the Department of Corrections to conduct classes for adults in certain institutions. This authorization is contained in Section 819 of the Education Code:

**Agreements for Education of Inmates of Institutions Under Jurisdiction of Department of Corrections** [EC1259] [1]

EC819. The Director of Corrections may establish and maintain classes for inmates of institutions or facilities under the jurisdiction of the Department of Corrections by entering into an agreement with the county superintendent of schools of a county in which the institution or facility is located, or of a county contiguous to such county, with the approval of the county board of education, under which the county shall maintain classes for such inmates.

Any agreement entered into between the county superintendent of schools and the Director of Corrections, pursuant to this section shall require the Department of Corrections to reimburse the county for the cost to the county of maintaining such classes. "Cost" as used herein includes contributions required to be made by the county superintendent to the State Teachers' Retirement System, but such cost shall not include an amount in excess of the amount expended by the superintendent for salaries of the teachers for such classes, increased by one-fifth. Salaries of such teachers for the purposes of this section shall not exceed the salaries as set by the county superintendent for teachers in other classes for adults maintained by the county.

Attendance or average daily attendance in classes established pursuant to this section shall not be reported to the State Department of Education for apportionment and no apportionment from the State School Fund shall be made on account of average daily attendance in such classes.

No county superintendent of schools shall provide for the academic education of adult inmates of state institutions or facilities under the jurisdiction of the Department of Corrections except in accordance with this section.

The law recognizes two adult pupil classifications. These classifications are (1) students who are concurrently enrolled in a regular high school program and (2) students who are not concurrently enrolled in such a program.

The California Administrative Code, Title 5, Education, gives further instructions for the conduct of classes for adults in certain types of institutions:

5CAC10580. **Scope.** The provisions of this Chapter apply to all adult schools and to all classes for adults maintained by high school districts and unified school districts maintaining classes for inmates of any county jail, county industrial farm or county or joint county road camp.

5CAC10583. **Attendance and Enrollments.** The attendance of only those persons regularly enrolled in a class shall be counted. A person is regularly enrolled in a class only when his enrollment has been entered on forms which meet the requirements of the Bureau. Sign-up sheets used at a class session for attendance keeping purposes shall not be considered sufficient evidence to constitute regular enrollment. No adult shall be enrolled in a class when the anticipated period of his attendance will be less than 60 hours.

5CAC10587. **Records and Reports.** The authorities of each school district maintaining classes for adults shall keep records and make reports to the Bureau or Superintendent of Public Instruction on the following items:

(a) Total number of enrollees during the reporting period specified.

(b) Total number of hours of adult attendance for the reporting periods specified.

(c) Current expense for the vocational training and rehabilitation of inmates confined to the county jail or road camp shall be direct current general fund expenditures for the program excluding expenditures for pupil transportation services, food services, community services, and object classifications 5000 (except contracts for instruction, personal services, or travel and conferences), 6000, and 7000, as defined in the California School Accounting Manual. The expenses shall be incurred solely for such classes and shall be readily identifiable in the records of the district. The expenses used as basis for computing the allowances shall be reported in compliance with instructions on forms prescribed and furnished by the Superintendent of Public Instruction.

5CAC10588. **Administrative Services.** Average daily attendance in classes for adults for prisoners shall be added to average daily attendance in all classes for adults maintained by the school district in meeting the computation requirements of Article 3 of Chapter 1 of this Division.

## Children in Special Situations

The law provides for a school district to be reimbursed for the education of children who are nonimmigrants or noncitizens or who reside in licensed children's institutions or family foster homes:

[1] The new (reorganized) Education Code is now in effect. Throughout this publication the new section number for each of the Education Code sections presented is given in brackets at the beginning of the section. For a complete listing of the old Education Code section numbers cited in this publication, together with the corresponding new section numbers, the reader should refer to Appendix A.

***Reimbursement for Educating Nonimmigrant Child; "Nonimmigrant Child" Defined*** [EC42900]

**EC6950. Whenever a school district provides education in kindergarten or grades 1 through 12 for nonimmigrant children or noncitizen children without immigration status, the district shall be reimbursed for the actual cost of educating each such nonimmigrant child or noncitizen child without immigration status by the county or city and county in which the school district is located. For the purposes of this chapter, such nonimmigrant child or noncitizen child without immigration status shall be deemed to be a resident of such county or city and county.**

**For the purpose of this section a "nonimmigrant child" is defined as an alien having a residence in a foreign country which he has no intention of abandoning, who is legally admitted to the United States as a nonimmigrant student or visitor, and who seeks to pursue a course of study in the public schools of this state. For the purpose of this section a "noncitizen child without immigration status" is defined as a child living in the United States who is not a citizen of the United States, who is without documentary evidence of United States immigration status, and who seeks to pursue or is pursuing a course of study in the public schools of this state.**

For the purpose of educating children in these special situations, a minor is defined as a person under twenty-one years of age, according to Education Code Section 6950.5:

***"Minor"*** [EC42901]

**EC6950.5. Notwithstanding Section 25 of the Civil Code or any other provision of law, for the purposes of this chapter, "minor" means a person under 21 years of age.**

**Reimbursement for Education of Children Residing in Certain Institutions** [EC42902]

**EC6951.** Whenever a school district provides education in kindergarten or grades 1 through 12 for children who reside in a regularly established licensed children's institution, or in a hospital operated by a county, located either within or without the boundaries of the district, the district shall be reimbursed for the actual cost of educating each such child by the county or city and county in which the child resided prior to his admission to the children's institution or the hospital. Whenever a school district provides education in kindergarten or grades 1 through 12 for children who reside in an institution or in a family home, pursuant to a commitment or placement under Chapter 2 (commencing with Section 500) of Part 1 of Division 2 of the Welfare and Institutions Code, located either within or without the boundaries of the district, or whenever a school district provides education in special schools or classes for mentally retarded pupils coming within the provisions of Section 6902 or 6903, physically handicapped pupils coming within the provisions of Section 6801, or educationally handicapped pupils educated pursuant to Section 6751.5, who reside in a licensed children's institution, or a family home, or a hospital operated by a county, located either within or without the boundaries of the district, the district shall be reimbursed for the actual cost of educating each such child by the county or city and county in which the child resided prior to his admission to the institution, or the home, or the hospital. If the child's prior residence cannot be ascertained or if his residence was outside the State of California, the district shall be reimbursed for the actual cost of educating such child by the county or city and county in which the institution, or family home, or the hospital is located. The pupil residing in an institution, or the family home, or the hospital under this section does not acquire residence in the district wherein the institution, or the family home, or the hospital is located during the period of residence in the institution, or the family home, or the hospital.

The method of determining the costs of educating children in special situations is based on units of average daily attendance (a.d.a.) and is described in Education Code Section 6952:

***Payment and Determination of Cost of Educating Pupil*** [EC42904]

**EC6952.** The county or city and county of which any pupil described in Section 6950 or Section 6951 is a resident shall at the close of each school year pay to the district or county superintendent of schools educating such pupil the cost of educating such pupil during the school year. The cost shall be determined by dividing the total current expenses of the school district or county superintendent of schools during such school year less all apportionments from the state or allocations from the federal government received by the district or county superintendent of schools during such school year, by the total number of units of average daily attendance in such school district or in programs maintained by the county superintendent of schools during such school year.

The county or city and county of which any such pupil is a resident shall at the close of each school year also pay to the district or county superintendent of schools educating such pupil the excess expenditures of educating such pupil during the school year. The excess expenditures shall be determined by dividing the total excess expenditures of the school district or county superintendent of schools during such school year on account of educating such pupils less all special purpose apportionments from the state or allocations from the federal government on account of the excess costs of educating such pupils by the total number of units of average daily attendance of such pupils in such school, classes, facilities, or programs during such school year.

The average daily attendance for all such pupils who attend a junior high school in accordance with Sections 5601 to 5612, inclusive, shall be credited to the elementary district in which the institution is located for apportionment purposes.

For the purpose of this section "excess expenditures" shall mean the additional expenditures made by the district or county superintendent during the school year for education of such pupils described in this chapter. Excess expenditures shall also include any tuition payments required to be paid by a district pursuant to Section 885.5 for education of any pupil described in this chapter.

The payment for the use of buildings, equipment, and facilities that are used for the education of children in special situations is based on units of a.d.a., as explained in Education Code Section 6952.5:

***Payment for Use of Buildings and Facilities*** [EC42905]

**EC6952.5. In addition to any other payments required by this chapter, where the education of children and minors described in Section 6951 or Section 6950 is provided in buildings or facilities owned by the school district or county superintendent of schools, the county or city and county of the minor's residence shall pay to the school district or county superintendent of schools, for the minor's use of the buildings and facilities and appurtenant equipment, an amount per unit of average daily attendance of such children during the school year prescribed by whichever of the following subdivisions is applicable:**

**(a) Thirty-five dollars ($35) if an elementary school district.**

**(b) Fifty-five dollars ($55) if a high school district.**

**(c) Forty-two dollars ($42) if a unified school district.**

**(d) Forty-four dollars ($44) if a county superintendent of schools.**

**The moneys so received by the school district shall be deposited to the credit of its bond interest and redemption fund or its building fund. The moneys so received by the county superintendent of schools shall be deposited to the credit of**

the county school service fund of the county for use in providing school buildings and facilities for the use of the county superintendent of schools in educating mentally retarded minors, physically handicapped minors, and nonimmigrant children, as the case may be.

Except for mentally retarded minors and physically handicapped minors, no payment shall be made to a district under this section for children described in Section 6951 unless the district educates in kindergarten or grades 1 through 12 at least 30 children described in Section 6951 in buildings or facilities owned by the district. No payment shall be made to a district under this section for children described in Section 6950 unless the district educates in kindergarten or grades 1 through 12 at least 30 children described in Section 6950 in buildings or facilities owned by the district.

The instructions for processing claims for payment for the use of facilities are contained in the following sections of the Education Code:

***Forwarding of Claim for Cost*** [EC42907]

EC6953. The district maintaining such school or classes shall forward its claim on forms prescribed by the Superintendent of Public Instruction not later than the 15th day of July of each year to the county superintendent of schools of the county, or city and county, wherein the district is located, who shall certify and present the claim to the county superintendent of the county, or city and county, of the pupil's residence.

***Annual Request for Funds*** [EC42908]

EC6954. The county superintendent of schools in each county, and city and county, shall file with the board of supervisors not later than the eighth day of August of each year a request for sufficient funds to pay the total amount of claims presented to him in accordance with this chapter.

If during any fiscal year the county superintendent of schools determines that an amount of at least one hundred dollars ($100) more or an amount of at least one hundred dollars ($100) less than was required for the claim of any individual district under Section 6953 included in a request filed by him with the county board of supervisors during a prior fiscal year, such amount shall, not later than the third succeeding fiscal year, be added to or deducted from the request for funds for the then current fiscal year.

***Forms and Procedures*** [EC42911]

EC6957. The State Superintendent of Public Instruction may furnish the forms and shall prescribe the procedures required of school districts and county superintendents of schools under this chapter, and shall adopt all rules and regulations necessary for carrying out its provisions.

Such rules and regulations shall require the county superintendent of schools to list the nonimmigrant children and noncitizen children without immigration status by name and address and submit such list to the board of supervisors. The board of supervisors shall forward a copy of such list to the appropriate regional office of the United States Immigration and Naturalization Service.

## Emergency Attendance Accounting

The law provides that in the case of certain emergencies, school districts shall be credited with the same amount of attendance for apportionment purposes as if no emergency had occurred:

***District Unable to Maintain Schools for Prescribed Time*** [EC41422;84372]

EC17553. A district which is prevented from maintaining its schools during a fiscal year for at least 175 days because of fire, flood, or epidemic, or because of any order of any military officer of the United States or of the State to meet an emergency created by war, or of any civil officer of the United States, of the State, or of any county, city and county, or city authorized to issue such order to meet an emergency created by war, or because of other extraordinary conditions, or because of inability to secure or hold a teacher, or because of the illness of the teacher, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the school district and of the county superintendent of schools, shall receive the same apportionment from the State School Fund as it would have received had it not been so prevented from maintaining school for at least 175 days.

The law also permits the estimating of a.d.a. in the case of early closure of a school:

***School Closed for Part of Term*** [EC46390;84570]

EC11651. Where a school in a district maintaining more than one school is closed for a part of a term by order of a city or county board of health or of the State Board of Health, or because of fire, flood, impassable roads, epidemic, or other emergency, or by an order provided for in Section 17553, the average daily attendance of the school shall be estimated separately, as provided in Section 11653, and added to the average daily attendance of the other schools of the district.

Provisions exist for estimating a.d.a. in the case of certain defined emergencies:

***Emergency Conditions: a.d.a. Estimate*** [EC46392;84572]

EC11653. Whenever the average daily attendance of any school district during any fiscal year has been materially decreased during any fiscal year because of:

(a) Fire,

(b) Flood,

(c) Impassable roads,

(d) An epidemic,

(e) The imminence of a major safety hazard as determined by the local law enforcement agency,

(f) A strike involving transportation services to pupils provided by a nonschool entity, or

(g) An order provided for in Section 17553; such fact shall be established to the satisfaction of the Superintendent of Public Instruction by affidavits of the members of the governing board of the school district and the county superintendent of schools. The average daily attendance of the district for the fiscal year shall be estimated by the Superintendent of Public Instruction in such manner as to credit to the school district for determining the apportionments to be made to the district from the State School Fund approximately the total average daily attendance which would have been credited to the school district had the emergency not occurred or had the order not been issued.

The provisions of this section shall apply to any average daily attendance which occurs during any part of a school year.

The following section of the California Administrative Code, Title 5, Education, offers guidance for the administration of Education Code Section 11653:

5CAC428. Material Decrease. When school is kept open but there is a decrease in the average daily attendance of a school district resulting from conditions described in Education Code Section 11653, such a decrease is material for purposes of that section as follows:

(a) Attendance at a necessary small school as defined in Education Code Section 17655—any decrease.

(b) Attendance at a necessary small high school as defined in Education Code Section 17663—any decrease.

(c) In any other case, when the period of emergency and the average decrease of potential days of attendance of a school in the district are as shown in the following table:

| Period of emergency | Average decrease of at least |
|---|---|
| 1 day | 35% |
| 2 consecutive days | 17.5% |
| 3 consecutive days | 11.67% |
| 4 consecutive days | 8.75% |
| 5 or more consecutive days | 7% |

Average daily attendance may be estimated if records are lost or destroyed:

***Lost or Destroyed Records*** [EC46391;84571]

EC11652. **Whenever any attendance records of any district have been lost or destroyed, making it impossible for an accurate report on average daily attendance for the district for any fiscal year to be rendered, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the district and the county superintendent of schools, the Superintendent of Public Instruction shall estimate the average daily attendance of such district. The estimated average daily attendance shall be deemed to be the actual average daily attendance for that fiscal year for the making of apportionments to the school district from the State School Fund.**

A school district that is requesting credit for a.d.a. under emergency situations should make application on Department of Education Form J-13 to the Superintendent of Public Instruction. This form may be obtained from the office of the county superintendent of schools and should be submitted by a school district through the office of the county superintendent of schools to the Superintendent of Public Instruction within two weeks following the emergency.

An employee strike or a student strike is not the type of emergency that would allow the Superintendent of Public Instruction to credit a school district with state apportionments based on a.d.a. lost by virtue of such a strike (53 Ops. Cal. AG 256, [1970]).

## Emergency Elementary Schools

Emergency elementary schools may be established for the children of migratory laborers. Authorization for such schools is in Education Code Section 896:

***Provision for Emergency Education*** [EC1920]

EC896. **In order to provide elementary education for children residing in the county, or in order to provide elementary education for children of migratory laborers engaged in seasonal industries within the county, the county superintendent of schools may, with the approval of the county board of education, when funds are not available from other sources and in his judgment it is necessary, do any one or more of the following acts:**

**(a) Establish and maintain one or more emergency elementary schools for children.**

**(b) Provide one or more emergency teachers for the regular elementary schools of the districts in the county for the pupils.**

**(c) Provide transportation for the children to an elementary school.**

**In lieu of providing transportation of any pupil, the county superintendent of schools may, with the approval of the county board of education, pay to the parents or guardian of the pupil the cost of food and lodging for the pupil at a place convenient to an elementary school. The amount so paid shall not exceed the cost of providing for the transportation of the pupil to and from his home and the school.**

**The county superintendent of schools may, with the approval of the county board of education, pay the expenses incurred in providing all the facilities and services authorized in this section, including necessary capital outlays, from the county school service fund.**

**All emergency schools shall be maintained in accordance with standards prescribed by the Superintendent of Public Instruction.**

The computation and reporting of a.d.a. in emergency elementary schools is described below:

***Computation*** [EC1924]

EC11351. **The units of average daily attendance for a fiscal year in an emergency school maintained by the county superintendent of schools shall be computed by dividing the total number of days of pupils' attendance in the emergency school during the fiscal year by 175.**

When the office of the county superintendent of schools maintains an emergency elementary school, pupil attendance is recorded in a State School Register, and the register is kept in the same manner as it is kept in a regular elementary school.

Pupil attendance is reported by the county superintendent on forms J-27-P1 and J-27-P2 (first and second period reports) and J-27-A (annual report).

## Interdistrict Attendance

At times pupils from one school district may attend classes and receive services in another school district. These situations necessitate attendance accounting methods over and above the procedures that have already been discussed. This section covers the laws and instructions that pertain to interdistrict attendance agreements and attendance accounting.

### Pupil-Initiated Interdistrict Attendance

A pupil may request to attend school in another district. Provisions for this are made in the following sections of the Education Code:

***Agreements for Admission of Pupils Desiring Interdistrict Attendance*** [EC46600]

EC10801. The governing board of any school district may admit to the schools or classes maintained in the district any pupil who lives in another school district which maintains schools or classes of the grade levels which the pupil desires to attend. An agreement providing for such attendance shall be entered into between the governing board and the governing board of the district in which the pupil lives. The agreement shall stipulate the terms upon which the interdistrict attendance shall be permitted. The terms of the agreement shall require the payment to be determined in the manner provided by Section 10805.

***Appellate Provisions Upon Board's Neglect or Refusal to Enter Into an Interdistrict Agreement*** [EC46603]

EC10803. If the governing board of either district neglects or refuses to enter into such an agreement within 30 days after the person having custody of any pupil has requested the board so to do:

(a) The person may appeal to the county board of education having jurisdiction over the district in which the pupil lives.

(b) The county board of education shall, within 30 days after the filing of the appeal, determine whether the pupil should be permitted to attend in the district in which he desires to attend and for what period of time.

(c) If the county board of education determines that the pupil should be permitted to attend in the district in which he desires to attend, the county board of education shall determine what the tuition payment shall be. Such payment shall not exceed that allowed in Section 10805.

***Admission to School Without Delay Upon Board Approval*** [EC46604]

EC10804. If the county board of education determines that the pupil should be permitted to attend in the district in which he desires to attend, the pupil shall be admitted to school in the district without delay.

***Maximum Duration of Provisional Admission Pending Board Decision*** [EC46607]

EC10806. A pupil may be admitted provisionally to the schools of a district, other than that in which he lives, by the governing board of the district for a period of not exceeding two school months, pending decision by the governing boards of the school districts concerned, or by the county board of education relative to his admittance.

***Exclusion of Certain Seventh and Eighth Grade Pupils*** [EC46608]

EC10807. The provisions of Sections 10801 to 10806, inclusive, do not apply to the attendance of pupils in the seventh and eighth grades of a junior high school which is maintained by a high school district.

***Basis of Admission*** [EC46609]

EC10808. Where the county boards of education of the two counties concerned agree that it is for the best educational and health interest of the child, a school district located in one county shall admit to the schools or classes maintained by it any pupil who resides in a school district located in another county.

## Interdistrict Attendance Agreements Initiated by Persons Other Than Pupils

Interdistrict attendance agreement may be initiated by persons other than pupils, and information on such agreements can be found in the following sections of the Education Code.

Education Code Section 10809 gives to the electorate the right to petition for an interdistrict attendance agreement:

***Petition to Educate Pupils in Another District*** [EC46610]

EC10809. Whenever three-fourths of the electors residing in an elementary school district and having children attending in the schools of the district petition the governing board of the district so to do, the governing board of such district with the approval of all the members of the county board of education may provide for the education of all elementary school pupils in the district by another elementary or unified school district subject to such terms and conditions as the governing boards of the two districts may agree upon. The attendance of the pupils shall be credited to the district in which the pupil lives for revenue limit and state apportionment purposes. On the next succeeding July 1st, the district in which the pupil lives shall be subject to the provisions of Sections 2701 to 2705, inclusive.

One school district may perform services for another school district, as authorized by Education Code Section 1062:

***Performance of Services for Another School District*** [EC11001]

EC1062. One school district may perform school services for another school district, and receive pay from the other school district for the performance of the school service, whenever a contract covering the performance of and the payment for school service has been entered into by and between the governing boards of the school districts concerned. Nothing contained in this section shall be construed to authorize the establishment of separate schools for pupils for any reason other than those set forth in this code.

The Superintendent of Public Instruction may direct one school district to perform services for another school district:

***Contract for Education of Pupils in Another District Where Acquiring District Lacks Suitable Quarters*** [EC46304; 84503]

EC11256. Notwithstanding anything in this code to the contrary when as a result of the unification or other reorganization of school districts, or the change of school district boundaries, and if the Superintendent of Public Instruction determines that a school district in which pupils reside does not have suitable quarters in which to maintain school for all the day pupils of the district, or that for other good and sufficient reasons the education of pupils in the district in which they reside is not practical or in the best interests of such pupils, the governing board of the district of residence shall contract with the governing board of another school district for the education of those pupils for whom suitable quarters are not available, or who should be educated in another district, as determined by the Superintendent of Public Instruction. No contract for the education of pupils under this paragraph shall be authorized subsequent to the close of the third fiscal year following that in which the district of residence is formed or reorganized, or the boundaries of the district changed, for all purposes.

Such contract shall provide for the payment of tuition in such amount and in the manner as may be agreed upon by the governing board of the district of attendance and the governing board of the district of residence. The tuition agreed upon shall not be an amount in excess of the actual cost to the district of attendance for the education of such pupils, less federal funds apportioned or allocated to the district of attendance on account of such pupils, and shall be payable during the current school year of attendance.

Any contract for the education of pupils residing in a school district made by the governing board of the district in accordance with the provisions of this section shall be deemed for all purposes to be or have been the maintenance of a school within the boundaries of the district. The average daily attendance of all pupils attending school in a district other than the district in which they reside, pursuant to such contract, shall be credited to the district of residence for apportionment purposes.

The provisions of this section shall apply to any contract made by governing boards of school districts pursuant to this section during the fiscal year 1953-54, and thereafter, and attendance of pupils under such a contract shall be credited in the manner prescribed by this section.

## Computation of Average Daily Attendance

The computation and crediting of a.d.a. in interdistrict attendance agreements are discussed in the following sections of the Education Code:

***Crediting a.d.a. from Interdistrict Attendance Agreement; Computation of Revenue Limit*** [EC46601]

EC10801.1. Effective July 1, 1973, the average daily attendance resulting from an interdistrict attendance agreement shall be credited to the district in which the pupil lives for purposes of determining a revenue limit except as otherwise allowed in Sections 10813.2 and 10813.3. In computing the 1972-73 base revenue pursuant to Article 6 (commencing with Section 20502) of Chapter 3 of Division 16, all amounts received in fiscal year 1972-73 by the school district of attendance pursuant to an interdistrict attendance agreement executed pursuant to Section 10801 may be included.

***Average Daily Attendance*** [EC46614]

EC10813. Except as may otherwise be specially provided, the average daily attendance of all pupils who live in one school

district and attend school in another school district shall be credited to the district in which the pupil lives for foundation program apportionment purposes.

The district of attendance shall record and report separately for foundation program purposes the attendance of pupils who live in another school district. When such average daily attendance is credited to a district in which the pupil lives the average daily attendance so credited shall be used to determine additional district foundation program based on the appropriate unit foundation program and such average daily attendance shall not be added to the average daily attendance used in determining any necessary small school allowance for the district in which the pupil lives.

***Crediting of a.d.a. to District of Attendance of Certain Special Pupils*** [EC46615]

EC10813.1. For the purposes of apportionment pursuant to Sections 6426, 18102 to 18102.9, inclusive, and 18102.11, the average daily attendance of those special pupils who live in one school district and attend school in another district under an interdistrict attendance agreement shall be credited to the district of attendance, and the Superintendent of Public Instruction shall pay the allowances under those sections to the district of attendance.

For the purposes of apportionment pursuant to Section 18060, the district providing the transportation shall report the average daily attendance used to determine the special transportation allowance.

***Crediting of a.d.a. to District of Attendance of Handicapped and Retarded Pupils*** [EC46617]

EC10813.3. The attendance for a physically handicapped or mentally retarded pupil residing in one district and attending in another district pursuant to a contract with the county superintendent of schools, as authorized in Sections 894 and 895, shall be credited to the district of attendance for purposes of state apportionment and revenue limit computations. Any tuition shall be paid by the contracting county superintendent of schools.

The computation of interdistrict attendance may be affected by the attendance of adults in adult education classes:

*Interdistrict Attendance Agreements: Computation* [EC46351]

EC11501.1. Whenever two or more school districts have entered into an interdistrict attendance agreement whereby one of the districts shall provide for the adult education classes for all districts included in the agreement, the average daily attendance of adults attending such classes shall, for apportionment purposes, be reported by and credited to the district in which such adult resides. This section shall only apply to those cases in which the school district providing adult education is a unified school district situated in a county of the sixth class and having, for the 1969–1970 school year, a high school average daily attendance of 9,600 or more.

***Revenue Limit Reduction: Adult a.d.a. Excluded*** [EC46606]

EC10805.5. Attendance credited to a school district pursuant to Section 11501.1 shall not be included in the computation of the reduction of the revenue limit of the district prescribed by the first paragraph of subdivision (d) of Section 10805.

## Tuition

Provisions for the payment of tuition in interdistrict attendance situations are discussed in the following sections of the Education Code:

***Payment of Tuition to District of Attendance*** [EC46605]

EC10805. If attendance in a district is pursuant to an interdistrict attendance agreement, or if the county board of education determines that the pupil should be permitted to attend in the district in which he desires to attend, the governing board of the district in which the pupil lives shall pay a tuition to the district of attendance no later than the next August 31, after the close of the fiscal year as follows:

(a) For attendance in regular day schools, summer schools, and adult schools and classes, the tuition per average daily attendance, if any, shall not exceed the actual cost per unit of average daily attendance for the grade level or program less any income, other than tuition, received by the district of attendance on account of such attendance.

(b) For attendance in programs for the physically handicapped as defined in Section 6801, the mentally retarded as defined in Section 6902 or 6903, the educationally handicapped as defined in Section 6750, or the mentally gifted as defined in Section 6421, the tuition per unit of average daily attendance shall be no greater than the expenditures per unit of average daily attendance as authorized by statute for that special program less any state and federal allowance per unit of average daily attendance for the program but no less than the appropriate unit foundation program pursuant to Section 17636 or 17664, as modified by subdivision (e) of Section 17301.

(c) For attendance in any other school or class not mentioned in subdivision (a) or (b) and for which an interdistrict attendance agreement pursuant to this article has been executed, the tuition, if any, shall be no greater than the actual cost per unit of average daily attendance for the grade level or program less any income, other than tuition, received by the district of attendance on account of such attendance.

(d) The district in which the pupil lives shall reduce its total revenue limit pursuant to Section 20904 or 20905 by the total excess, if any, of its revenue limit per average daily attendance multiplied by the total interdistrict attendance over the total tuition to be paid to districts of attendance.

The district in which the pupil lives may increase its total revenue limit pursuant to Section 20904 or 20905 by the total excess, if any, of the total tuition to be paid to district of attendance over the district of residence's revenue limit per average daily attendance multiplied by the total interdistrict average daily attendance.

***Tuition: District of Attendance*** [EC46616]

EC10813.2. (a) If a district of attendance charges a tuition for attendance of pupils from another district in its schools and classes the provisions of Sections 10801.1 and 10813 shall apply.

(b) If a district of attendance does not charge a tuition for attendance of pupils from another district in its schools and classes, the average daily attendance for such attendance shall be credited to the district of attendance for purposes of determining state apportionments and the revenue limit pursuant to Section 20904 or 20905. In such case the district of attendance shall, prior to the budget hearing required by Section 20504, include as a part of the budget process a public hearing on the estimated costs to its taxpayers for the attendance of pupils from other districts. This public hearing shall include a statement concerning the estimated average daily attendance involved, the estimated cost to the district of such attendance, with such cost also expressed as an estimated tax rate equivalent. Notice of the hearing shall be posted in a public place and furnished to the news media at least five days prior to the date of the public hearing.

***Failure by District of Residence to Pay Tuition Charges*** [EC46612]

**EC10811. If the governing board of a school district in which pupils reside who are lawfully attending in another district fails or refuses to pay, when due, the amount required to be paid the district of attendance for the education of such pupils under any provision of this code, the county superintendent of schools having jurisdiction over the district of residence shall draw a requisition against the funds of the district of residence in favor of the district of attendance in payment of such amount and transmit the requisition to the governing board of the district of attendance.**

## Miscellaneous Provisions

The following sections of the Education Code also apply to interdistrict attendance agreements:

***Terms of Interdistrict Attendance Agreements*** [EC46602]

**EC10802. An interdistrict attendance agreement shall be for a term of not to exceed five consecutive school years.**

***Interdistrict Kindergarten Attendance*** [EC46611]

**EC10810. The governing board of a school district maintaining one or more elementary schools may admit to the kindergartens maintained by the district children eligible for admission to kindergarten classes who live in another district whenever an agreement is entered into between the governing board of each of such districts stipulating the terms upon which the interdistrict attendance shall be permitted.**

***Newly Formed Districts*** [EC46613]

**EC10812. The governing board of any school district may admit to the schools or classes maintained in the district any pupils who reside in another school district during any of the first three fiscal years of existence for all purposes of the district of residence, whenever an agreement is entered into**

between the governing boards stipulating the terms upon which the interdistrict attendance shall be permitted.

## Interstate Attendance

California has approximately 1,000 miles of state boundary that is common to Arizona, Nevada, and Oregon. Therefore, it is entirely possible that California pupils will attend school in one of these states, and pupils who are residents of these neighboring states may be attending school in California. The law provides for such situations.

### California Pupils in Adjoining States

Attendance accounting procedures for pupils from California who attend school in an adjoining state are discussed in the following sections of the Education Code:

*Education of Pupils in an Adjoining State* [EC46618]

EC10815. The governing board of a unified school district, whose boundaries are coterminous with the boundaries of a county, and which is contiguous to an adjoining state, may provide for the education of all or any number of the high school pupils of the district who reside in the district by the attendance of such pupils at the schools of a school district of an adjoining state. The governing board of the unified school district may enter an agreement with the school district of an adjoining state for the education of such pupils, subject to the terms and conditions agreed upon. The provisions of Sections 20151 to 20162, inclusive, do not apply to pupils educated pursuant to an agreement authorized by this section. The average daily attendance of pupils educated pursuant to such an agreement shall be credited to the district of residence for apportionment purposes. The superintendent of schools of the district, or the principal of the school, in the adjoining state attended by the pupils under such an agreement shall, not later than July 2 of each year, certify, to the county superintendent of schools having jurisdiction over the school district of residence of the pupils, the average daily attendance of the pupils of the district attending the schools of the school district in the adjoining state. Certification shall be made on forms furnished by the Superintendent of Public Instruction. The county superintendent of schools shall report such average daily attendance to the Superintendent of Public Instruction, who shall include such average daily attendance in his report of average daily attendance in all of the duly established schools of the State for the last preceding school year certified by him to the State Controller.

*Power to Permit Attendance and Provide Transportation for Pupils Attending School in an Adjoining State* [EC2000]

EC20151. The county superintendent of schools of any county contiguous to an adjoining state may grant permission to pupils residing in the county to attend elementary school or high school in a school district of the adjoining state and may provide for the transportation of the pupils to the school.

*Average Daily Attendance Credited to County School Tuition Fund* [EC2001]

EC20152. The average daily attendance of pupils residing in any county of this State and attending an elementary school or high school in an adjoining state shall be credited to the county school tuition fund of said county and reported by the county superintendent of schools in his annual report to the Superintendent of Public Instruction, who shall include such average daily attendance in his report of average daily attendance in all the duly established schools of the State for the last preceding school year certified by him to the State Controller.

*Payment of Tuition* [EC2002]

EC20153. The county superintendent of schools shall pay for the tuition of pupils residing in his county and attending school in an adjoining state from the county school tuition fund of his county pursuant to this article (commencing at Section 20151).

*Duty to Certify Attendance* [EC2005]

EC20156. The superintendent of schools of any school district, or the principal of any school, in an adjoining state attended by pupils residing in an adjoining county in this State shall certify to the county superintendent of schools of the county not later than July 2d of each year the average daily attendance of pupils from the county attending the school and the current expenditure, including transportation, incurred for the education of the pupils. Certification shall be made on forms furnished by the Superintendent of Public Instruction.

*Computation* [EC46380]

EC11601. The average daily attendance for the fiscal year of pupils residing in any county of this State and attending a school in an adjoining state under Sections 20101 to 20251, inclusive, shall be computed by dividing the total number of days of attendance of such pupils in the school by the number of days the school was maintained during said fiscal year, but by not less than 175, and the average daily attendance so computed shall be credited to the county school tuition fund.

The a.d.a. of pupils attending school in an adjoining state is reported by the principal of the school that the pupils attend. The report is made on Department of Education Form J-23-A and sent to the office of the county superintendent of schools where the pupils reside.

### Attendance of Pupils from Adjoining States

Attendance accounting procedures for pupils from adjoining states who attend school in California are discussed in Education Code Section 10506:

*Residents of Adjoining States* [EC48050]

EC10506. The governing board of any school district may, with the approval of the county superintendent of schools, admit to the elementary and high schools of the district pupils living in an adjoining state which is contiguous to the school district. An agreement shall be entered into between the governing board and the governing board or authority of the school district in which the pupils reside providing for the payment by the latter of an amount sufficient to reimburse the district of attendance for the total cost of educating the pupil, including the total of the amounts expended per pupil for the current expenses of education, the use of buildings and equipment, the repayment of local bonds and interest payments and state building loan funds, capital outlay, and transportation to and from school. The amount of the tuition for the current expenses of education per unit of average daily attendance of pupils from the adjoining state shall equal the average current expenditure, exclusive of all transportation expenditures, per unit of average daily attendance in the district of attendance. The per pupil cost attributable to capital outlay shall be on the basis of an average expenditure for the preceding five years. The cost of transportation shall not exceed ten dollars ($10) per month. Tuition payments shall be made during the school year with final payment at the end of the school year after all costs have been determined. If the amount paid is more or less than the total cost of education and transportation, adjustment shall be made for the following semester or school year. The attendance of the pupils shall not be included in computing the average daily attendance of

the class or school for the purpose of obtaining apportionment of state funds. In lieu of entering an agreement with the governing board or authority of the school district in which the pupil from the adjoining state resides, the governing board of the school district in this State may enter an agreement with the parent or guardian of the pupil on the same terms as is provided in this section.

## Juvenile Hall Schools and Schools in Juvenile Homes and Camps

The establishment, conduct, and attendance accounting procedures of schools maintained in juvenile halls are discussed in the following sections of the Welfare and Institutions Code:

**Establishment and Maintenance: Designation: Effect of Reference to Detention Homes**

WIC850. The board of supervisors in every county shall provide and maintain, at the expense of the county, in a location approved by the judge of the juvenile court or in counties having more than one judge of the juvenile court, by the presiding judge of the juvenile court, a suitable house or place for the detention of wards and dependent children of the juvenile court and of persons alleged to come within the jurisdiction of the juvenile court. Such house or place shall be known as the "juvenile hall" of the county. Wherever, in any provision of law, reference is made to detention homes for juveniles, such reference shall be deemed and construed to refer to the juvenile halls provided for in this article.

**Schools: Establishment and Maintenance**

WIC856. The board of supervisors may provide for the establishment and maintenance of an elementary public school and of a secondary public school in connection with the juvenile hall for the education of the children in the juvenile hall. The board, by ordinance, may provide for the establishment and maintenance of school facilities in the juvenile hall, and such schools shall be maintained by the respective governing boards of the elementary school district and of the high school district in which the juvenile hall is situated.

**Same: Maintenance by County Superintendent: Powers and Duties: Budget**

WIC857. The board of supervisors may, by ordinance, provide that schools established and maintained pursuant to Section 856 shall be maintained by the county superintendent of schools in which case the county board of education shall have the same powers and duties with respect to such schools as the governing board of a school district would have were said schools maintained by the school district under the provisions of this article. The board of supervisors shall have the power to review and approve any budget proposing expenditures for the operation of such schools and may revise it to the extent deemed necessary.

**Same: Conduct of Institution: Days Closed**

WIC858. Such schools shall be conducted in the same manner and under the same conditions, as nearly as possible, as are other elementary and secondary schools of the school districts, except that they shall not be closed on Monday, Tuesday, Wednesday, Thursday and Friday of any week during the calendar year, except on school holidays, the day or days in which the teachers' institute is in session, and the week in which Christmas Day occurs. Each school board, however, may close its school when it deems such closing necessary.

Welfare and Institutions Code sections 889 and 890 authorize the board of supervisors of a county to provide for public schools at juvenile homes and camps:

**Establishment and Maintenance of Schools in Summer Camp: Ordinance: Provision for Building and Equipment: Applicability of Laws Relating to Schools Maintained by County Superintendent of Schools**

WIC889. The board of supervisors may, by ordinance, direct the county superintendent of schools to establish and maintain public schools in any juvenile home or camp established in the county under this article of such grade or grades as may be, in the judgment of the county superintendent of schools, necessary. The board of supervisors shall provide suitable buildings and equipment for such schools.

Such school or schools when established shall be maintained, subject to and in accordance with all laws relating to schools maintained by a county superintendent of schools, in a juvenile hall under Article 14 (commencing with Section 850).

**Same: Alternative Power to Establish School in Connection with Home, Ranch, or Camp: Ordinance: Maintenance by School Boards: Applicable Statute**

WIC890. The board of supervisors, in lieu of proceeding under Section 889, may provide for the establishment of an elementary public school and of a secondary public school in connection with a juvenile home, ranch or camp, for the education of children in the juvenile home, ranch or camp. The board, by ordinance, may provide for the establishment and maintenance of school facilities in the juvenile home, ranch, or camp, and such schools shall be maintained by the respective governing boards of the elementary school district and of the high school district in which the juvenile home, ranch, or camp is located.

Such school when established shall be maintained, subject to and in accordance with all laws relating to schools maintained by a school district, in a juvenile hall under Article 14 (commencing with Section 850).

A letter dated August 31, 1950, from the Attorney General to the Director of the California Youth Authority states in part:

> . . . a juvenile camp maintained by a county under Welfare and Institutions Code sections 880 et seq. may be considered a state institution, and a school district may maintain classes for the inmates thereof on request of the Director of the California Youth Authority and the administrative head of the camp.

The computation of a.d.a. of pupils in juvenile homes or camps is discussed in Education Code Section 11554:

*Computation for Pupils in Juvenile Hall, Home or Camp* [EC46364]

EC11554. The average daily attendance of pupils attending an elementary school or secondary school maintained by a county superintendent of schools for the education of persons in a juvenile hall or in a juvenile home or camp, shall be computed by dividing the total days of pupils attendance in the school during the fiscal year by 175 and the average daily attendance so computed shall be credited to the county school service fund.

Such attendance is computed on forms J-27.1-P2 and J-27.1-A (elementary level) and J-28-P2 and J-28-A (secondary level).

The a.d.a. earned in juvenile hall schools that are maintained by school districts is computed in the same manner as

in the regular schools of the districts and is credited to the district maintaining the juvenile hall school.

Attendance is reported in the same manner as for the same levels of education or the same types of classes in regular schools. The State School Register and other daily and monthly attendance forms must be clearly labeled or marked "Juvenile Hall Schools."

When pupils attend classes for less than a minimum day, it is suggested that the attendance be kept on the positive accounting basis (see Chapter III for a definition). Absences are not charged when a pupil is present for any part of the period for which he or she is enrolled.

In a program maintained by an office of a county superintendent of schools, a.d.a must be reported as elementary attendance on either Form No. J-27 or Form No. J-27.1 if more than half of the a.d.a. in the class is at the elementary level. If more than half of the a.d.a. in the class is at the high school level, then the a.d.a. must be reported as high school attendance on Form No. J-28. If the a.d.a. is divided equally between the elementary and high school levels, the a.d.a. must be reported at the level for which the class was scheduled.

## Residents of Mexico

A resident of Mexico may attend school in California, as permitted by Education Code Section 10507:

***Residents of Adjoining Foreign Country*** [EC48051;76004]

**EC10507. Any person, otherwise eligible for admission to any class or school of a school district of this state, whose parents are or are not citizens of the United States, whose actual and legal residence is in a foreign country adjacent to this state, and who regularly returns within a 24-hour period to said foreign country may be admitted to the class or school of the district by the governing board of the district.**

The tuition a school district may charge a resident of Mexico is based on the requirements of Education Code Section 10508:

***Tuition, Transportation, and Average Daily Attendance of Foreign Residents*** [EC48052; 76005]

**EC10508. The governing board of the district shall, as a condition precedent to the admission of any person, under Section 10507, require the parent or guardian of such person to pay to the district an amount not more than sufficient to reimburse the district for the total cost of educating the person, including the total of the amounts expended per pupil for the current expenses of education, the use of buildings and equipment, the repayment of local bonds and interest payments and state building loan funds, capital outlay, and transportation to and from school. The per pupil cost attributable to capital outlay shall be on the basis of an average expenditure for the preceding five years. The cost of transportation shall not exceed ten dollars ($10) per month. Tuition payments shall be made in advance for each month or semester during the period of attendance. If the amount paid is more or less than the total cost of education and transportation, adjustment shall be made for the following semester or school year. The attendance of the pupils shall not be included in computing the average daily attendance of the class or school for the purpose of obtaining apportionment of state funds. The school district shall not be eligible for nonimmigrant or noncitizen reimbursement under the provisions of Chapter 10 (commencing with Section 6950) of Division 6 of this code for these students.**

# Chapter VIII Relationship of Attendance Accounting to Public School Finance

This manual continually stresses the importance of accurate and complete recording in a very complex pupil accounting system. Therefore, it may be helpful to outline the manner in which the reported units of average daily attendance (a.d.a.) are used at the state level to provide and distribute money to individual school districts and to determine other aspects of public school finance.

## A Monetary System for Education

When a new nation comes into being, one of the first tasks is to establish some sort of a monetary system. Typically, such a nation would (1) create a national bank or treasury to receive and disburse money; (2) specify the unit of exchange—dollar, mark, or drachma, as examples; (3) define the values of various coins and currencies; (4) schedule the flow of cash into and out of the bank to ensure that obligations can be met in a timely fashion; and (5) set several accounting checkpoints throughout the year to be sure that the money available is adequate to cover all of the claims for payment filed during that year.

In essence, California has established a separate monetary system for public education. The state Constitution has created the State School Fund (community colleges have their own fund) to serve as a bank for education, and the Legislature has prescribed how much money annually will be transferred from the State General Fund to the State School Fund. The Constitution has specified the unit of exchange as a unit of a.d.a., and the Legislature has defined the various units of a.d.a. and has set their relative values. The Legislature has scheduled the flow of cash from the State School Fund to the county treasurers and, hence, to individual school districts in accordance with their claims or entitlements. Further, the Legislature has set several accounting checkpoints throughout the year to ensure the solvency of the State School Fund.

## The State School Fund

Statewide fiscal a.d.a. for the prior year is the prime determiner of the amount of money that will be in the bank for education during the current year. Fiscal a.d.a. is the sum of all the units of a.d.a. generated by the attendance of pupils in educational programs offered by school districts and offices of county superintendents of schools. The type of a.d.a.—regular class, summer school, adult—is not important at this point when the vaults of the bank for education figuratively are being stocked with money transferred from the State General Fund. The word *vaults* is used advisedly because the money is transferred to the State School Fund for specific purposes as detailed below in Table VIII-1. The claims for funds by school districts or offices of county superintendents of schools, as represented by their a.d.a. reports, may exceed the amount of money placed in a particular vault, and this would occasion the use of a deficit factor in these particular apportionments. However, as the year progresses, surpluses may develop in some of the vaults reserved for other programs. In some instances, but not all, the Legislature has sanctioned the transfer of such surpluses to the programs where there are impending deficits, and all the district claims can be honored.

The amount of money transferred is different each year and is based on a.d.a. reported for the previous school year, requirements established in the Education Code, and annual budget acts passed by the state Legislature and approved by the Governor. Data in Table VIII-1 are representative of the amount of money transferred from the State General Fund to the State School fund for a typical (1974-75) school year.

Table VIII-1

**Derivation of Monies Transferred to State School Fund (1974-75)**

| Purpose of funds | Dollar value per unit of a.d.a. in 1973-74* | Education Code Section |
|---|---|---|
| Basic and equalization aid | $193.75 | 17301 (a) |
| Basic and equalization aid | 177.74 | 17303.5 (f) |
| County School Service Fund | .79 | 17303.5 (a) |
| County School Service Fund | 3.44 | 17303.5 (d) |
| Pupil transportation | 7.18 | 17303.5 (b) |
| Special education and transportation | 24.68 | 17303.5 (c) |
| Mentally gifted minors | 2.73 | 17303.5 (e) |
| Educationally handicapped | 13.75 | 17303.5 (g) |
| State Teachers' Retirement System | 11.64 | 17301.2 (a) |
| Total per unit of a.d.a. | $435.70 | |

*Any differences between amounts listed in the table and amounts specified in the Education Code are due to legislative actions that have occurred since the Education Code was published.

Inasmuch as the 1973-74 fiscal a.d.a. was 4,647,128 and the several unit rates totaled $435.70, a total of $2,024,753,669 was transferred from the State General Fund to the various vaults within the State School Fund.

Adjustments are now applied to this amount. Any balances in the State School Fund at the end of a fiscal year revert to the state's General Fund. This means that corrections for previous years (due to errors in attendance reports, assessed

valuations, tax rates, and so forth) must be made from the current year's appropriations. Also, legislation authorizes the Department of Education to use a certain amount of the money for research in special education programs. The corrections for previous years and the money set aside for research totaled almost $500,000 and reduced the money available for apportionments to $2,024,255,719 in 1974-75. Also, from time to time the Legislature appropriates specific amounts of money for specific educational purposes. This money is transferred from the State General Fund to the State School Fund without any relationship to units of a.d.a. In 1974-75 about $100 million was appropriated to be used in the programs for educationally disadvantaged youth and for driver training. As a result of these adjustments, the bank for education had $2,123,659,687 in the vaults on July 1, 1974, and was open for business.

The State Controller, who administers the State School Fund, will not issue any warrants to pay the claims of school districts and offices of the county superintendents of schools until the Superintendent of Public Instruction certifies that the claims are legitimate and accurate. The Superintendent of Public Instruction must rely upon personnel in the Bureau of School Apportionments and Reports to review, correct, and certify all of the various claims as valid. The bureau personnel, in turn, must rely upon the personnel in the school districts and offices of county superintendents of schools who prepare and forward the attendance reports. And, of course, the whole operation depends upon all of the classroom teachers who take the roll each day and can make the fine distinction between pupils who are absent because they are ill and those who are absent because they decided to skip a day. This distinction does make a difference when reporting a.d.a.

## Apportionment of Funds

Although the bank for education opens for business early the morning of July 1 each year, a lot of people have spent a lot of time getting ready for the moment. The first order of business is to advise each of the customers how much money they have on deposit and to send them enough money to help them meet their July obligations. This phase of the operation is known as the *advance apportionment.*

### The Advance Apportionment

Up to this point an attempt has been made to show that a.d.a. is very important in determining how much money goes into the State School Fund. A.d.a. is equally as important in determining how much money will be transferred from the State School Fund to a particular school district or office of a county superintendent of schools.

It is assumed that, at least in the beginning of the new fiscal year, operating costs for the schools in a school district are going to be pretty much the same as they were late in the preceding year. The advance apportionment uses second period foundation program a.d.a., excluding penalties, second period special education a.d.a., and other data from the prior year to apportion to a school district or office of a county superintendent of schools enough money to operate at least through January of the current fiscal year. Most of the new legislation becomes effective July 1 of each fiscal year, and if any legislation affects school apportionments, these changes usually are reflected in the advance apportionment.

Money on deposit in a bank earns interest, and the State School Fund is no different. The Legislature has decided that it is better for money to remain in the State School Fund drawing interest for the state than to be sent prematurely to the country treasuries. In addition, there is the added problem of smoothing out the flow of money into and out of the state coffers. Therefore, the school district entitlements are paid on the following schedule: July, 6 percent; August, 12 percent; and 8 percent each following month through January. The schedule for offices of county superintendents of schools is a little different, but by the end of January, school districts will have received 58 percent of their entitlements as calculated for the advance apportionment, and offices of county superintendents of schools will have received 60 percent. This is the point of the correction, the *first principal apportionment.*

### The First Principal Apportionment

The advance apportionment had to be made on the basis of the prior year's data that included the second period a.d.a. By February district tax rates and assessed valuation for the current year are available, and school districts and offices of county superintendents of schools have reported the a.d.a. generated by pupils in attendance during the period from July 1 through December 31. (Summer school attendance is reported for the fiscal year in which the sessions end, and the a.d.a. in classes for adults or in programs operated by county superintendents of schools is accumulated from April 16 through December 31.) Now entitlements must be recomputed. Special education allowances are determined, and if it appears that insufficient funds have been placed in the various special education vaults in the State School Fund, deficit factors are applied to the allowances. However, a major activity that affects the amount of state aid that school districts and offices of county superintendents of schools receive also occurs at this time—namely, *prior-year corrections.*

The Education Code requires that apportionments be corrected for the first, second, and third prior fiscal years as needed. Corrections typically involve such things as changes to miscellaneous funds, assessed valuations, a.d.a., or class-size penalties. Any increase or decrease in the regular class a.d.a. occurring between the second report period (ending April 15) and the annual report period (ending June 30) also is taken into account. Wherever the errors originate, all must be corrected, and any such corrections must be carried through any subsequent apportionments influenced by the errors.

After all of the corrections are made and the new data are in place, the entitlements for school districts and offices of county superintendents of schools are computed again. The amount of money districts already have received for July through January is subtracted from this new entitlement to establish the amount of state aid due for the remainder of the fiscal year. Once the amount due individual school districts and offices of county superintendents of schools is established, a different schedule of payments begins. In February districts

receive one-third of the money due and one-sixth in March, April, and May. The remainder of the money is distributed in June and is based on data obtained in April as part of the *second principal apportionment.*

### The Second Principal Apportionment

The second period attendance reports are statements of the units of a.d.a. generated between July 1 and April 15 and not merely an indication of the number of units generated since the first period attendance reports. In addition, the second period attendance reports are the final reports for other than regular class a.d.a. because the report year for these programs is from April 16 through April 15 of the following year. (Regular class a.d.a. from April 16 through June 30 is incorporated in the first principal apportionment calculations.)

Prior years' corrections and adjustments similar to those associated with the first principal apportionment occur at this time, but a new element is added in the form of financial penalties. The Education Code requires that a district's apportionment be reduced if the district exceeds stipulated class-sizes in kindergarten or grades one, two, and three or the established pupil-teacher ratios in grades four through eight. (There are no similar limitations at the high school level.) The class-size penalty is particularly severe because it takes the form of an actual reduction in a district's a.d.a. This means the loss of at least $125 in basic aid for each unit of a.d.a. lost, and a district receiving equalization aid loses the full foundation program for each unit of a.d.a. lost. Further, the penalty extends into the following year because the reduced a.d.a. is reflected in the district's revenue limit and the assessed valuation per unit of a.d.a. Penalties also are incurred when a district exceeds a stipulated ratio for administrative and teaching personnel. However, the loss of a.d.a. is not a factor in the administrative-teacher ratio penalties.

After the final district entitlements are established, they are compared with the money already apportioned for July through May, and any entitlement remaining is apportioned at this time. This final accounting also reveals surpluses and deficits within the several vaults in the bank for education, and deficit factors are applied to certain apportionments only if the surpluses cannot cover the deficits. Any surplus remaining in the State School Fund reverts to the State General Fund.

Although the second period attendance reports are used primarily to tie together some of the loose ends in the apportionment of state aid, these reports also serve several other important purposes. Initially, the second period a.d.a. (without class-size penalties) becomes the basis for the advance apportionment for the following year. Next, the second period a.d.a. (including class-size penalties) becomes an important ingredient in determining a district's revenue limits for the following year. Third, the second period a.d.a. (including class-size penalties) is divided into the modified assessed valuation of a district to establish a convenient measure of a district's assessed wealth. The assessed valuation per unit of a.d.a. is important for district planning purposes because it indicates the extent to which a district may receive additional state money as equalization aid beyond the $125 per unit of a.d.a. in basic aid that is every district's entitlement.

## Annual Attendance Reports

After the close of the school year, school districts and offices of county superintendents of schools prepare the final attendance reports that summarize the pertinent a.d.a. that was generated during the fiscal year of July 1 through June 30. No money is apportioned directly on the basis of these annual reports, except that the law dictates that this a.d.a. shall be the basis for apportioning state aid the following year to the so-called basic aid districts. The primary purpose of the final attendance reports is to determine an accurate state a.d.a. total that is utilized to establish the amount of money the state will put into the State School Fund for the following school year. A secondary purpose is to establish the per pupil expenditure amount for individual school districts and for the state as a whole. This is achieved by the simple division of the amount of federal, state, and local funds spent during the fiscal year by the number of units of a.d.a. accumulated during the fiscal year. A third and extremely important purpose of the annual attendance reports is related to recalculating the previous year's apportionments and determining any increases or decreases, because of changes in a.d.a., to be added or withheld in the succeeding fiscal year.

## Foundation Program

The Legislature has established a *foundation program* level of funding per unit of a.d.a. to determine the amount of state aid for every student in California public schools in kindergarten through grade twelve. Toward a foundation program the school district contributes an amount known as district aid; district aid is determined in accordance with the wealth of the district by computing an amount that a computational tax would raise on the modified assessed valuation of the district. Toward a foundation program the state contributes basic aid of $125 per unit of a.d.a. If the sum of the district aid as computed and the basic aid provided by the state does not equal the foundation program, the state provides sufficient additional funds to make up the difference. These additional funds are identified as *equalization aid.* The general formula could be stated in this way: The foundation program equals the computed district aid plus the state basic aid and additional state equalization aid, if needed.

In Table VIII-2 are displayed some of the foundation program amounts per unit of a.d.a. for a recent typical school year (1975-76).

Table VIII-2

**Foundation Programs for California Public Elementary and Secondary Schools (1975-76)**
**Necessary small elementary schools**

| Number of teachers per school | Units of a.d.a. | Foundation program |
|---|---|---|
| 1 | 0–25 | $22,475 |
| 2 | 26–50 | 44,950 |
| 3 | 51–75 | 67,425 |
| 4 | 76–100 | 89,900 |

**Unnecessary small elementary schools**

| District size in a.d.a. | Foundation program per unit of a.d.a. |
|---|---|
| 101–900 | $899 |
| 901 or more | 909 |

**Other elementary schools**

| District size in a.d.a. | Foundation program per unit of a.d.a. |
|---|---|
| 101–900 | $899 |
| 901 or more | 909 |

**Necessary small high schools**

| Number of teachers per school | Units of a.d.a. | Foundation program |
|---|---|---|
| 1 | 1– 20 | $ 19,000 |
| 2 | 1– 20 | 38,000 |
| 3 | 1– 20 | 97,200 |
| 4 | 21– 40 | 116,200 |
| 5 | 41– 60 | 135,200 |
| 6 | 61– 75 | 154,200 |
| 7 | 76– 90 | 173,200 |
| 8 | 91–105 | 192,200 |
| 9 | 106–120 | 211,200 |
| 10 | 121–135 | 230,200 |
| 11 | 136–150 | 249,200 |
| 12 | 151–180 | 269,200 |
| 13 | 181–220 | 287,200 |
| 14 | 221–260 | 306,200 |
| 15 | 261–300 | 325,200 |

**Unnecessary small high schools**

| District size in a.d.a. | Foundation program per unit of a.d.a. |
|---|---|
| Less than 301 | $1,084 |
| 301 or more | $1,094 |

**Other high schools**

| District size in a.d.a. | Foundation program per unit of a.d.a. |
|---|---|
| 301 or more | $1,094 |

Districts that have unified get an additional $20 per unit of a.d.a. as a bonus for unification. Under certain conditions districts that voted for unification but did not unify also get the additional $20 per unit of a.d.a.

## A Major Responsibility

Program managers delight in expounding the "big picture," and it may be appropriate to end this manual in such a vein.

Most teachers enjoy contributing to the intellectual and personal growth of young people. In fact, a personal credo for a teacher might be something to the effect that "each young person shall benefit from having been with me this day." (This may sound grandiose, but it is devastating to accept the alternative that it really makes no difference.) Thus, a teacher who is interested in influencing young people must be more than casually concerned about who shows up and who stays away.

Parents, too, are concerned about who shows up and who stays away. This concern may stem from a belief in the promise of education, from respect for the compulsory attendance laws, or from some combination of both. Regardless, parents surrender the custody of their children to the public schools for a few hours a day, and this responsibility makes it prudent for school administrators to know who shows up and who stays away.

Thus, the teachers' concerns, the parents' concerns, and the administrators' concerns, though different in some aspects, do coincide, and some sort of a system is created for recording the attendance and nonattendance of individual pupils.

While all enterprises must plan ahead to ensure the efficient use of staff and facilities, planning is particularly important in service enterprises such as education. For planning purposes it is frequently desirable to consider the average number of persons served throughout the year rather than to be concerned with the variations from month to month. In education the average number of persons served translates into the average number of pupils enrolled or the average number of pupils attending. This concept emerged very early in the development of public education, and as state governments began to help finance education, units of average daily enrollment (or membership) or average daily attendance made a logical basis upon which to allocate state funds to individual school districts. These units also were a convenient means to express the per pupil cost of education. Many states use average daily membership (a.d.m.) as their school finance support unit; California has used average daily attendance (a.d.a.) almost from the beginning.

An individual who is assigned responsibilities for attendance and enrollment accounting must occasionally wonder why the system must be so complicated, why there are so many bits and pieces, why the seeming redundancy of three reports a year. The bits and pieces are of primary importance because of the various foundation programs, but almost equally important is the need to assemble or disassemble various types of a.d.a. to serve various aspects of our current school finance program. The simplest explanation of the three report periods during the school year—first period, second period, and annual—is that several accounting checks are needed to ensure a fair distribution of more than $2 billion of state funds.

But to tie it all together, any particular aspect of the attendance accounting and recording process is a part of what

can be figuratively described as a complete circle. In the simplest form of this figurative circle, a student shows up for class, and the teacher marks the student present; the student's attendance is reported through administrative channels to the Bureau of School Apportionments and Reports in the Department of Education; bureau personnel, acting according to legislatively mandated budgets, apportion money for the student's education; the money is sent to the school where the student attends class.

Admittedly, the above is an oversimplification, but it does point to one essential concept that must be kept in mind at the close of this manual or by anybody in the circle: over $2 billion is involved, and with that amount of money at stake, even the smallest of errors can be extremely costly.

# Appendix A
# Old and New Education Code Section Numbers

Appendix A contains a complete listing of the old Education Code section numbers cited in this publication together with the corresponding section numbers contained in the new (reorganized) Education Code now in effect (as of April 30, 1977).

| *Old Education Code section number* | *New Education Code section number* |
|---|---|
| 554 | 12400 |
| 802.1 | 1242 |
| 819 | 1259 |
| 894 | 1850 |
| 894.1 | 1852 |
| 894.2 | 1853 |
| 894.4 | 1855 |
| 895 | 1880 |
| 895.1 | 1881 |
| 895.2 | 1882 |
| 895.3 | 1883 |
| 895.6 | 1886 |
| 896 | 1920 |
| 1003.5 | 35167 |
| 1034 | 35253 |
| | 72603 |
| 1062 | 11001 |
| 1086 | 46014 |
| 2701 | 35720 |
| | 74570 |
| 2702 | 35721 |
| 2703 | 35722 |
| | 74671 |
| 2704 | 35723 |
| | 74672 |
| 2705 | 35724 |
| | 74673 |
| 5102 | 37201 |
| | 79001 |
| 5103 | 37202 |
| | 37203 |
| | 79002 |
| 5201 | 37220 |
| | 79020 |
| 5201.1 | 37221 |
| | 79021 |
| 5202 | 37222 |
| | 79022 |
| 5204 | 37224 |
| | 79024 |
| 5205 | 37225 |
| | 79025 |
| 5206 | 37226 |
| | 79026 |
| 5206.1 | 37227 |
| | 79027 |
| 5207 | 37228 |
| 5208 | 37229 |
| 5209 | 37230 |
| | 79029 |
| 5210 | 37231 |
| | 79030 |
| 5212 | 37232 |
| | 79032 |
| 5251 | 37040 |
| 5252 | 37041 |
| 5253 | 37042 |
| 5258 | 37045 |
| 5301 | 48010 |
| 5302 | 48011 |
| 5304 | 48013 |
| 5553 | 53 |
| 5554 | 37250 |
| 5602 | 37061 |
| 5604 | 48020 |
| 5605 | 37062 |
| 5605.1 | 37063 |
| 5605.2 | 37064 |
| 5605.3 | 37065 |
| 5606 | 37066 |
| 5607 | 37067 |
| 5608 | 37068 |
| 5610 | 37070 |
| 5611 | 37071 |
| 5614 | 37074 |
| 5615 | 37075 |
| 5616 | 37076 |
| 5617 | 37077 |
| 5618 | 37078 |
| 5619 | 37079 |
| 5620 | 37080 |
| 5621 | 37081 |
| 5622 | 37082 |
| 5623 | 37083 |
| 5652 | 37101 |
| 5654 | 37103 |
| 5655 | 48030 |
| 5656 | 37104 |
| | 48031 |
| 5656.5 | 48810 |
| 5657 | 37105 |
| 5658 | 37106 |
| 5659 | 37107 |
| 5660 | 37108 |
| 5661 | 37109 |
| 5662 | 37110 |
| 5663 | 37111 |
| 5664 | 37112 |
| 5670 | 51720 |
| 5671 | 51721 |
| 5673 | 51723 |
| 5674 | 51724 |
| 5701 | 52500 |
| | 78400 |
| 5702 | 52501 |
| | 78401 |
| 5706 | 48040 |
| | 78403 |
| 5708 | 52506 |
| | 78405 |
| 5716 | 52512 |
| | 78410 |
| 5717 | 52513 |
| 5723 | 51730 |
| 5724 | 51731 |
| 5756 | 52610 |
| | 78460 |
| 5756.1 | 78460.5 |
| 5757 | 52612 |
| | 78462 |
| 5950 | 48430 |
| 5951 | 48431 |
| 5952 | 48432 |
| 5953 | 48433 |
| 5954 | 48434 |
| 6011 | 8760 |
| 6011.2 | 8761 |
| 6012 | 8762 |
| 6013 | 8763 |
| 6321 | 51810 |
| | 78300 |
| 6321.5 | 51811 |
| | 78301 |
| 6322 | 51812 |
| | 78302 |
| 6322.5 | 51813 |
| | 78303 |
| 6323 | 51814 |
| | 78304 |
| 6324 | 51815 |
| | 78305 |
| 6401 | 48800 |
| 6402 | 48801 |
| 6403 | 48802 |
| 6421 | 52200 |
| 6422 | 52201 |
| 6423 | 52202 |
| 6423.1 | 52203 |
| 6424 | 52204 |
| 6426 | 52205 |
| 6432 | 52206 |
| 6433 | 52207 |
| 6434 | 52208 |
| 6500 | 48630 |
| 6501 | 48631 |
| 6501.1 | 48632 |
| 6502 | 48633 |
| 6503 | 48634 |
| 6504 | 48635 |

| *Old Education Code section number* | *New Education Code section number* |
|---|---|
| 6505 | 48636 |
| 6506 | 48637 |
| 6507 | 48638 |
| 6508 | 48639 |
| 6508.5 | 48640 |
| 6509 | 48641 |
| 6740 | 1807 |
| 6741 | 1808 |
| 6750 | 56600 |
| | 78600 |
| 6750.1 | 56601 |
| | 78601 |
| 6751 | 56602 |
| | 78602 |
| 6751.1 | 56603 |
| | 78603 |
| 6751.5 | 56604 |
| | 78604 |
| 6752 | 56605 |
| | 78605 |
| 6752.1 | 56606 |
| | 78606 |
| 6752.2 | 56607 |
| | 78607 |
| 6753 | 56608 |
| 6755 | 56610 |
| | 78609 |
| 6755.1 | 56611 |
| | 78610 |
| 6755.2 | 56612 |
| | 78611 |
| 6755.3 | 56613 |
| | 78612 |
| 6756 | 56614 |
| | 78613 |
| 6757 | 56615 |
| | 78614 |
| 6801 | 56700 |
| | 78701 |
| 6802 | 56701 |
| | 78702 |
| 6802.1 | 56702 |
| | 78703 |
| 6802.2 | 56703 |
| | 78704 |
| 6803.3 | 56706 |
| | 78707 |
| 6806 | 56709 |
| | 78710 |
| 6806.1 | 56710 |
| 6807 | 56711 |
| | 78711 |
| 6808 | 56712 |
| | 78712 |
| 6809 | 56713 |
| 6812 | 56716 |
| | 78715 |
| 6812.1 | 56717 |
| 6812.5 | 56160 |
| 6812.6 | 56161 |
| 6812.7 | 56161.5 |

| *Old Education Code section number* | *New Education Code section number* |
|---|---|
| 6813 | 56718 |
| | 78717 |
| 6814 | 56719 |
| 6815 | 56720 |
| 6816 | 56721 |
| | 78718 |
| 6851 | 56750 |
| | 79130 |
| 6852 | 56751 |
| | 79131 |
| 6853 | 56752 |
| | 79132 |
| 6870 | 56030 |
| 6871 | 56031 |
| 6871.5 | 56033 |
| 6872 | 56034 |
| 6873 | 56035 |
| 6874 | 56036 |
| 6874.5 | 56037 |
| 6874.6 | 56038 |
| 6901 | 56500 |
| | 78800 |
| 6902 | 56501 |
| | 78801 |
| 6902.05 | 56502 |
| | 78802 |
| 6902.055 | 56503 |
| | 78803 |
| 6902.06 | 56504 |
| | 78804 |
| 6902.07 | 56505 |
| 6902.085 | 56506 |
| | 78805 |
| 6902.09 | 56507 |
| | 78806 |
| 6902.095 | 56508 |
| 6902.10 | 56509 |
| 6902.1 | 56510 |
| | 78807 |
| 6902.2 | 56511 |
| | 78808 |
| 6902.3 | 56512 |
| | 78809 |
| 6902.4 | 56513 |
| | 78810 |
| 6902.5 | 56514 |
| 6903 | 56515 |
| 6903.1 | 56516 |
| 6903.2 | 56517 |
| 6903.3 | 56518 |
| 6904 | 56519 |
| 6904.1 | 56520 |
| 6904.2 | 56521 |
| 6904.5 | 56522 |
| 6905 | 56523 |
| 6906 | 56524 |
| 6906.5 | 56525 |
| 6907 | 56526 |
| | 78812 |
| 6908 | 56527 |
| | 78813 |
| 6909 | 56528 |
| | 78814 |

| *Old Education Code section number* | *New Education Code section number* |
|---|---|
| 6910 | 56529 |
| 6911 | 56530 |
| | 78816 |
| 6912 | 56531 |
| | 78817 |
| 6912.3 | 56532 |
| | 78818 |
| 6912.5 | 56533 |
| | 78819 |
| 6913 | 56534 |
| | 78820 |
| 6914 | 56536 |
| | 78821 |
| 6915 | 56537 |
| | 78822 |
| 6916 | 56538 |
| | 78823 |
| 6917 | 56539 |
| | 78824 |
| 6918 | 56540 |
| | 78825 |
| 6919 | 56541 |
| | 78826 |
| 6920 | 56542 |
| | 78827 |
| 6950 | 42900 |
| 6950.5 | 42901 |
| 6951 | 42902 |
| 6952 | 42904 |
| 6952.5 | 42905 |
| 6953 | 42907 |
| 6954 | 42908 |
| 6957 | 42911 |
| 7455.3 | 52315 |
| 7455.5 | 52316 |
| 7459 | 52321 |
| 7461 | 52325 |
| 7462 | 52326 |
| 8056 | 51055 |
| 8571 | 51220 |
| 8572 | 51222 |
| 10503 | 37046 |
| 10504 | 48002 |
| 10506 | 48050 |
| 10507 | 48051 |
| | 76004 |
| 10508 | 48052 |
| | 76005 |
| 10551 | 48210 |
| 10801 | 46600 |
| 10801.1 | 46601 |
| 10802 | 46602 |
| 10803 | 46603 |
| 10804 | 46604 |
| 10805 | 46605 |
| 10805.5 | 46606 |
| 10806 | 46607 |
| 10807 | 46608 |
| 10808 | 46609 |
| 10809 | 46610 |
| 10810 | 46611 |

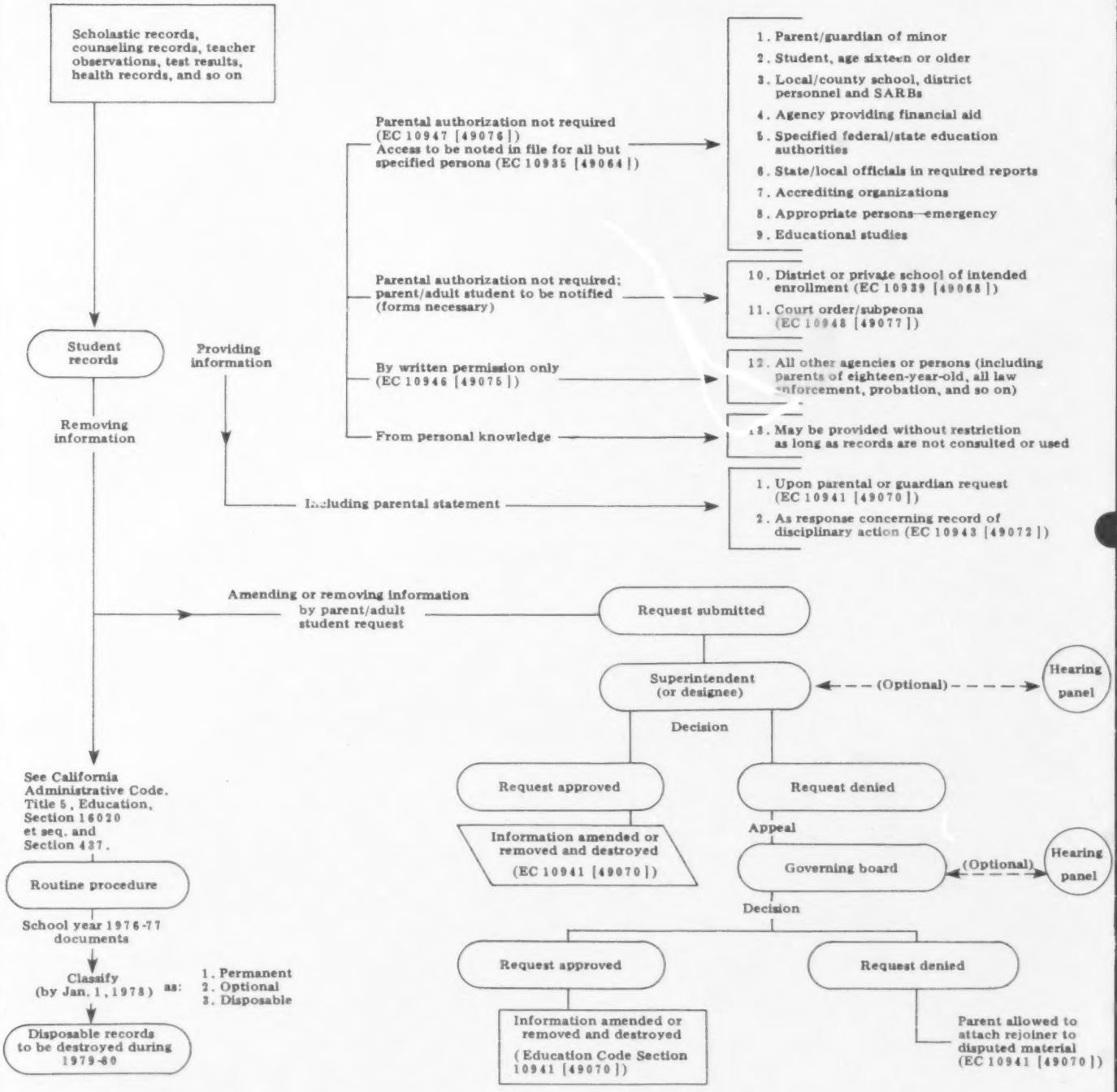
| *Old Education Code section number* | *New Education Code section number* |
|---|---|
| 10811 | 46612 |
| 10812 | 46613 |
| 10813 | 46614 |
| 10813.1 | 46615 |
| 10813.2 | 46616 |
| 10813.3 | 46617 |
| 10815 | 46618 |
| 10939 | 49068 |
| 10940 | 49069 |
| 10944 | 49073 |
| 10952 | 46100 |
| | 76301 |
| 10953 | 46010 |
| | 76302 |
| 10954 | 46011 |
| 10954.5 | 46012 |
| 11001 | 46110 |
| 11002 | 46111 |
| 11005 | 46112 |
| 11006 | 46113 |
| 11006.5 | 46114 |
| 11007 | 46115 |
| 11008 | 46116 |
| 11051 | 46140 |
| 11052 | 46141 |
| 11052.5 | 46142 |
| 11053 | 46170 |
| 11054 | 46143 |
| | 76312 |
| 11055 | 46144 |
| | 76313 |
| 11056 | 46145 |
| 11075 | 46180 |
| 11102 | 76310 |
| 11151 | 46190 |
| | 76320 |
| 11151.5 | 46191 |
| | 76321 |
| 11152 | 46192 |
| | 76322 |
| 11201 | 46500 |
| | 76330 |
| 11202 | 46501 |
| | 76331 |
| 11203 | 46502 |
| | 76332 |
| 11204 | 1870 |
| 11226 | 46510 |
| | 76340 |
| 11227 | 46511 |
| 11228 | 76341 |
| | 46512 |
| 11229 | 76342 |
| | 1871 |
| 11251 | 46513 |
| | 46300 |
| 11252 | 84500 |
| | 46301 |
| 11253 | 84501 |
| | 46302 |

| *Old Education Code section number* | *New Education Code section number* |
|---|---|
| 11254 | 46303 |
| | 84502 |
| 11256 | 46304 |
| | 84503 |
| 11301 | 46117 |
| | 46320 |
| 11301.5 | 46118 |
| 11301.6 | 46119 |
| 11351 | 1924 |
| 11401 | 46330 |
| 11402 | 46331 |
| 11403 | 46332 |
| 11404 | 46333 |
| 11420 | 46340 |
| 11484 | 84530 |
| 11501 | 46350 |
| 11501.1 | 46351 |
| 11551 | 46360 |
| 11552 | 46361 |
| 11553 | 46362 |
| 11553.1 | 46363 |
| | 84560 |
| 11554 | 46364 |
| 11555 | 46365 |
| 11556 | 46366 |
| 11601 | 46380 |
| 11651 | 46390 |
| | 84570 |
| 11652 | 46391 |
| | 84571 |
| 11653 | 46392 |
| | 84572 |
| 11661 | 46160 |
| 11662 | 46161 |
| 11703 | 49042 |
| | 76402 |
| 11821 | 49450 |
| | 76450 |
| 11822 | 49451 |
| | 76451 |
| 11823 | 49452 |
| | 76452 |
| 11823.1 | 49453 |
| | 76453 |
| 11824 | 49454 |
| | 76454 |
| 11825 | 49455 |
| 11826 | 49456 |
| | 76455 |
| 11827 | 49457 |
| | 76456 |
| 12101 | 48200 |
| 12101.1 | 48204 |
| 12102 | 48201 |
| 12154 | 48222 |
| 12155 | 48224 |
| 12156 | 48226 |
| 12551 | 48400 |
| 12552 | 48401 |

| *Old Education Code section number* | *New Education Code section number* |
|---|---|
| 12553 | 48402 |
| 12601 | 48410 |
| 12603 | 48412 |
| 12801 | 48310 |
| 13529 | 45057 |
| | 87830 |
| 13555 | 44804 |
| | 87703 |
| 13558 | 44809 |
| 13562 | 44816 |
| 13566 | 44819 |
| | 87714 |
| 13651.4 | 45194 |
| | 88194 |
| 17402 | 41332 |
| | 84332 |
| 17407 | 41335 |
| | 84324 |
| 17411 | 41338 |
| 17414 | 41341 |
| | 84330 |
| 17503 | 41372 |
| | 84363 |
| 17505 | 41374 |
| 17507 | 41376 |
| 17507.5 | 41378 |
| 17551 | 41420 |
| | 84370 |
| 17553 | 41422 |
| | 84372 |
| 17601 | 41600 |
| | 84700 |
| 17601.1 | 41601 |
| | 84701 |
| 17655 | 41702 |
| 17663 | 41707 |
| 17664 | 41711 |
| 18060.2 | 41864 |
| | 84818 |
| 18102 | 41882 |
| | 84832 |
| 18102.4 | 41885 |
| | 84333 |
| 18102.6 | 41886 |
| | 84836 |
| 18102.9 | 41888 |
| | 84838 |
| 18102.10 | 41889 |
| | 84839 |
| 20151 | 2000 |
| 20152 | 2001 |
| 20153 | 2002 |
| 20154 | 2003 |
| 20155 | 2004 |
| 20156 | 2005 |
| 20157 | 2006 |
| 25503.5 | 76001 |
| 25503.6 | 76002 |
| 25513 | 78009 |
| 25514 | 78010 |
| 32130 | 37640 |

# Appendix B

# Application of Laws Governing Access to and Removal of Information in Student Records


Scholastic records, counseling records, teacher observations, test results, health records, and so on
Student records
Providing information
Removing information
Parental authorization not required (EC 10947 [49076])
Access to be noted in file for all but specified persons (EC 10935 [49064])
1. Parent/guardian of minor
2. Student, age sixteen or older
3. Local/county school, district personnel and SARBs
4. Agency providing financial aid
5. Specified federal/state education authorities
6. State/local officials in required reports
7. Accrediting organizations
8. Appropriate persons—emergency
9. Educational studies
Parental authorization not required; parent/adult student to be notified (forms necessary)
10. District or private school of intended enrollment (EC 10939 [49068])
11. Court order/subpeona (EC 10948 [49077])
By written permission only (EC 10946 [49075])
12. All other agencies or persons (including parents of eighteen-year-old, all law enforcement, probation, and so on)
From personal knowledge
13. May be provided without restriction as long as records are not consulted or used
Including parental statement
1. Upon parental or guardian request (EC 10941 [49070])
2. As response concerning record of disciplinary action (EC 10943 [49072])
Amending or removing information by parent/adult student request
Request submitted
Superintendent (or designee)
(Optional)
Hearing panel
Decision
Request approved
Request denied
Information amended or removed and destroyed (EC 10941 [49070])
Appeal
Governing board
(Optional)
Hearing panel
Decision
Request approved
Request denied
Information amended or removed and destroyed (Education Code Section 10941 [49070])
Parent allowed to attach rejoiner to disputed material (EC 10941 [49070])
See California Administrative Code, Title 5, Education, Section 16020 et seq. and Section 437.
Routine procedure
School year 1976-77 documents
Classify (by Jan. 1, 1978) as:
1. Permanent
2. Optional
3. Disposable
Disposable records to be destroyed during 1979-80

NOTE: The new section number for each of the Education Code sections cited is given in brackets after the old section number.

NOTE: Adapted from a chart prepared by the Office of the Los Angeles County Superintendent of Schools.

# Appendix C

# Attendance Accounting Internal Control Worksheet

| | *Yes (met consistently)* | *Yes (met partially)* | *No (not met)* |
|---|---|---|---|
| 1. Have the forms and procedures used in the district's attendance accounting system been approved by the State Department of Education (Education Code Section 13558)? | | | |
| 2. Is a satisfactory method used for filing individual pupil attendance records? | | | |
| 3. Are uniform symbols used consistently in attendance records maintained throughout the district? | | | |
| 4. Has a satisfactory procedure been developed for verifying absences due to illness or other reasons (California Administrative Code, Title 5, Education, sections 420–424)? | | | |
| 5. Are absences due to illness or other reasons verified by the school employee(s) designated by the district governing board (California Administrative Code, Title 5, Education, sections 420–421)? | | | |
| 6. Are the entries made in the pupil accounting records periodically checked for clerical accuracy? | | | |
| 7. Are worksheets relating to monthly or annual reports of attendance filed permanently with the district's copies of these attendance reports? | | | |
| 8. Is an adequate record maintained of enrolled pupils? Is the record reconciled monthly with the control and checked against the attendance reports? | | | |
| 9. Are all classes taught by teachers who have proper credentials (Education Code sections 11251, 13566)? | | | |
| 10. Is the legally required minimum school day maintained for each applicable grade level as follows: | | | |
| a. Kindergarten (Education Code Section 11301)? | | | |
| b. Grades one, two, three (Education Code Section 11005)? | | | |
| c. Grades four, five, six, seven, eight (Education Code Section 11006)? | | | |
| d. High school, except evening high school (Education Code Section 11052)? | | | |
| e. Continuation high school or continuation classes (Education Code Section 11053)? | | | |
| f. Special day or Saturday vocational training programs (Education Code Section 11055)? | | | |
| g. Opportunity school or opportunity classes (Education Code Section 11075)? | | | |
| h. Regional occupational centers and programs? | | | |
| 11. Are the accounting procedures satisfactory for recording the various attendance categories in special programs, such as programs for the physically handicapped, educationally handicapped, and mentally retarded? | | | |
| 12. Has attendance not applicable for state apportionments been segregated and properly excluded from state reports, including: | | | |
| a. Classes whose total cost is paid from federal funds (Education Code Section 5901)? | | | |
| b. Community services classes (Education Code sections 6321–6324)? | | | |

Comments: _____

_____

_____

Recommendations: _____

_____

_____

# Appendix D

# State Department of Education Report Forms Relating to Attendance Accounting

California State Department
of Education
Form No. J-7 (Rev. 2-77)

# REPORT OF REGULAR DAY CLASSES AND ENROLLMENT FOR KINDERGARTEN AND ELEMENTARY GRADES, 1976-77

FOR STATE USE ONLY

County _____ District _____ CODE

(Not required of districts having fewer than 101 units of average daily attendance)

## SECTION A: *Kindergarten*

| (1) Number of pupils enrolled in each class | (2) Number of classes of each size | (3) Number of pupils enrolled in such classes (1) × (2) | (4) Approved limit of enrollment (2) × 33 | (5) Excess enrollment (3) − (4) |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| 21 | | | | |
| 22 | | | | |
| 23 | | | | |
| 24 | | | | |
| 25 | | | | |
| 26 | | | | |
| 27 | | | | |
| 28 | | | | |
| 29 | | | | |
| 30 | | | | |
| 31 | | | | |
| 32 | | | | |
| 33 | | | | |
| 34 | | | | |
| 35 | | | | |
| 36 | | | | |
| 37 | | | | |
| 38 | | | | |
| 39 | | | | |
| 40 | | | | |
| | | | | |
| | | | | |
| | | | | |

Class Enrollments Subject to Modification

| (6) Class enrollment | (7) Number of classes of each size | (8) Approved limit of enrollment | (9) Excess enrollment | (10) Fraction of period counted | (11) Modified excess enrollment |
|---|---|---|---|---|---|
| | | 33 | | | |
| | | 33 | | | |
| | | 33 | | | |
| | | 33 | | | |
| | | 33 | | | |
| | | 33 | | | |

Total classes _____

Total pupils enrolled _____

Average number of pupils per class _____

Total of columns 5 and 11 _____

Total excess enrollment

## SECTION B: *Grades One, Two, and Three*

| (1) Number of pupils enrolled in each class | (2) Number of classes of each size | (3) Number of pupils enrolled in such classes (1) x (2) | (4) Approved limit of enrollment (2) x 30 | (5) Excess enrollment (3) − (4) |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| 21 | | | | |
| 22 | | | | |
| 23 | | | | |
| 24 | | | | |
| 25 | | | | |
| 26 | | | | |
| 27 | | | | |
| 28 | | | | |
| 29 | | | | |
| 30 | | | | |
| 31 | | | | |
| 32 | | | | |
| 33 | | | | |
| 34 | | | | |
| 35 | | | | |
| 36 | | | | |
| 37 | | | | |
| 38 | | | | |
| 39 | | | | |
| 40 | | | | |
| | | | | |
| | | | | |
| | | | | |

Class Enrollments Subject to Modification

| (6) Class enrollment | (7) Number of classes of each size | (8) Approved limit of enrollment | (9) Excess enrollment | (10) Fraction of period counted | (11) Modified excess enrollment |
|---|---|---|---|---|---|
| | | 30 | | | |
| | | 30 | | | |
| | | 30 | | | |
| | | 30 | | | |
| | | 30 | | | |
| | | 30 | | | |

Total classes _____

Total pupils enrolled _____

Average number of pupils per class _____

Total of columns 5 and 11 _____

Total excess enrollment

## SECTION C: Grades Four through Eight

1. Total number of pupils enrolled . . . . . _____

2. A. Total number of full-time equivalent classroom teachers . . . . . _____

   B. Average number of pupils enrolled per full-time equivalent classroom teacher (Item 1 divided by Item 2A) . . . . . _____

J-7

## CERTIFICATION

*I hereby certify that this report has been prepared in accordance with applicable laws and regulations and, to the best of my knowledge and belief, is true and accurate.*

Signed _____
District Superintendent

Date _____, 19____

Examined and Approved (See Instruction 2.)

Signed _____
County Superintendent of Schools

Date _____, 19____

## GENERAL INSTRUCTIONS

1. **Responsibility for filing.** Each school district with more than 100 units of average daily attendance, maintaining regular day classes in the elementary grades, shall file this report of enrollments, excluding the following:
   a. "Necessary Small Schools" having fewer than 101 units of average daily attendance.
   b. Grades seven and eight of a junior high school maintained by a high school or unified school district.

2. **Time of filing.** This report shall be filed with, and at the same time as, "Second Period Report of Attendance for Elementary and Kindergarten," immediately after the last full school month ending on or before April 15.

3. **Number and disposition of copies.** An original and two copies shall be prepared. One copy shall be retained in the district files. The original and one copy shall be transmitted to the county superintendent of schools. After examination and approval, the county superintendent shall forward the original to Wilson Riles, Superintendent of Public Instruction, attention Bureau of School Apportionments and Reports, California State Department of Education, 721 Capitol Mall, Sacramento, CA 95814, not later than May 3, 1977.

4. **Selection and determination of information.** The information reported shall be in accordance with Education Code sections 17507 [41376] and 17507.5 [41378] and with California Administrative Code, Title 5, sections 15100 to 15112.

5. **Combined grades.** Any class combining pupils in kindergarten or in any grade or grades four through eight with one or more of grades one, two, and three shall be considered a class of grades one, two, and three.

6. **Active enrollment.** (See California Administrative Code, Title 5, Section 15103(c).)
   a. *Kindergarten and grades one, two, and three.* Average the counts made on the last teaching day of each school month that ends prior to April 15 of the school year.
   b. *Grades four through eight.* A count shall be made at the end of the sixth school month.
   c. Class enrollments shall be rounded off to the nearest whole number.

7. **Rounding off decimals for averages.** The average number of pupils per class reported in sections A and B and in items 2-A and 2-B in Section C shall be rounded to *one* decimal place.

Wilson Riles

*Superintendent of Public Instruction*

California State Department
of Education
Form No. J-18-A (Rev. 5-77)

# Annual Report of Attendance for Kindergarten and Elementary Pupils Residing in the District

**For the period commencing July 1, 1976, and ending June 30, 1977**

**(Report only full school months, the last of which ends on or before April 15.)**

Before making any entries on this form, please read carefully the directions in the Special Instructions for Reports of Attendance for the fiscal year 1976-77 and the General Instructions on the reverse of this form.

(Name of school if necessary small school) (Legal name of school district)

FOR STATE USE ONLY

County

I. Number of days taught in regular day classes

II. Attendance data to be employed in the principal apportionment of the State School Fund

Decimal points are to be omitted from numerical entries in this report since the decimal line has been provided to represent them. No decimal entries shall be carried beyond two places. If there is no decimal fraction, two zeros shall be shown.

| *Type of class* | | *Total days of apportionment attendance* | | *Average daily attendance (Col. 1 divided by designated divisor)* | | *For state use only* | |
|---|---|---|---|---|---|---|---|
| | | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal |
| *(For items II-A, II-B, II-C, and II-D, use number of days taught as divisor.)* | | | | | | | |
| A. KINDERGARTEN | | | | | | | |
| 1. Attendance in classes of 180 minutes | A-1 | | | | | | |
| 2. Adjusted attendance in classes of 150 minutes (Refer to Special Instruction Sheet.) | A-2 | | | | | | |
| B. ELEMENTARY | | | | | | | |
| 1. Regular day classes—attendance in grades one through three | B-1 | | | | | | |
| 2. Regular day classes—attendance in grades four through eight or four through six, whichever is applicable | B-2 | | | | | | |
| 3. Attendance in special education programs | B-3 | | | | | | |
| 4. Adjusted attendance of trainable mentally retarded minors in classes of less than 180 minutes | B-4 | | | | | | |
| C. SUMMER SCHOOLS (Refer to Special Instruction Sheet.) | C | | | | | | |
| D. SPECIAL CLASSES MAINTAINED DURING SUMMER MONTHS | D | | | | | | |
| *(For item II-E, use 175 days as divisor.)* | | | | | | | |
| E. OPPORTUNITY SCHOOLS | E | | | | | | |
| F. TOTAL A.D.A. | F | | | | | | |
| G. Total annual enrollment related to the a.d.a. reported on line IIB1. | | | | | | | |
| H. Total annual enrollment related to the a.d.a. reported on line IIB2. | | | | | | | |

III. YEAR ROUND SCHOOLS ONLY: Complete this section if more than one Form J-18-A must be submitted because of differing days taught.

1. Number of days of regular school calendar
2. Number of days of school calendar to be completed in the next fiscal year

## CERTIFICATION

*I hereby certify that, to the best of my knowledge and belief, this report is true and correct.*

1. *All attendance in remedial classes and classes provided by the county superintendent of schools has been excluded in Item II of this report.*
2. *All attendance data have been compiled and reported in accordance with the provisions of the Education Code and the rules and regulations of the State Board of Education as contained in the California Administrative Code, Title 5, Education, and the instructions for this report form.*
3. *No attendance in summer schools or intersessions has been included herein, unless such classes were approved by the Office of Curriculum Services.*

[Signed] _____
Principal

Date _____

**Examined and approved** (See instructions 1b and 2.)

Date _____ City/District Superintendent

**Examined and approved** (See instruction 3.)

Date _____ County Superintendent of Schools

Any inquiries concerning this report should be directed to the attention of:
NAME:
TELEPHONE NO.:

J-18-A

## GENERAL INSTRUCTIONS

### 1. PRINCIPAL'S RESPONSIBILITY

a. The principal of each elementary school shall prepare this annual report, filing the original and two copies with the city or district superintendent of schools; if no such superintendent of schools is employed in the district, the original and one copy shall be filed with the county superintendent of schools immediately after June 30, and one copy shall be retained for the elementary school files.

b. If no city or district superintendent of schools is employed, the principal shall indicate "No Superintendent Employed" in the space provided for the superintendent's approval, and he shall assume the responsibilities indicated in instruction number 2.

c. If a central attendance accounting system has been approved by the State Department of Education, it is not necessary for the principal to prepare this report.

d. If tuition is charged, report the attendance of pupils residing outside the reporting district on Form No. J-18 Supplement. If tuition is not charged for pupils residing outside the reporting district, include the attendance for these pupils on Form No. J-18 together with the attendance of pupils residing in the district.

e. Chapter 470, Statutes of 1973 (Assembly Bill 1021), amended Education Code Section 46608, changing the method of reporting attendance for pupils in grades seven and eight. Please see the Special Instructions for Reports of Attendance.

### 2. CITY OR DISTRICT SUPERINTENDENT'S RESPONSIBILITY

The city or district superintendent shall examine and approve this report and shall prepare a composite report in triplicate of the reports received from all the schools in the district; he shall transmit the original and one copy to the county superintendent of schools and retain one copy for his files.

### 3. COUNTY SUPERINTENDENT'S RESPONSIBILITY

The county superintendent of schools shall examine and approve this report and shall send the original report, not later than July 15, to WILSON RILES, Superintendent of Public Instruction, attention of the Bureau of School Apportionments and Reports, State Department of Education, Sacramento, California 95814. This constitutes his report to the Superintendent of Public Instruction. One copy shall be retained for the county files.

Wilson Riles

*Superintendent of Public Instruction*

California State Department
of Education
Form J-18-A (Rev. 5-77)
SUPPLEMENT

# ANNUAL REPORT OF ATTENDANCE FOR KINDERGARTEN AND ELEMENTARY PUPILS RESIDING OUTSIDE THE REPORTING DISTRICT IF TUITION IS CHARGED

**For the Period Commencing July 1, 1976, and Ending June 30, 1977**

Before making any entries on this form, please read carefully the directions on the separate Special Instructions for Reports of Attendance for the fiscal year 1976-77, and the instructions on the reverse of this form.

| School district of attendance | County | FOR STATE USE ONLY |
|---|---|---|
| | | |

Credit attendance to the following:

| School district of residence | County | FOR STATE USE ONLY |
|---|---|---|
| | | |

I. Number of days taught in regular day classes . . . . . ____

II. Attendance data to be employed in the principal apportionment of the State School Fund

Decimal points are to be omitted from numerical entries in this report since the decimal line has been provided to represent them. No decimal entries shall be carried beyond two places. If there is no decimal fraction, two zeros shall be shown.

| *Type of class* | | *Total days of apportionment attendance* Whole number | Decimal | *Average daily attendance* (Column 1 divided by designated divisor) Whole number | Decimal | *For state use only* Whole number | Decimal |
|---|---|---|---|---|---|---|---|
| *(For items II-A, II-B, II-C, and II-D, use number of days taught as divisor.)* | | | | | | | |
| A. KINDERGARTEN | | | | | | | |
| 1. Attendance in classes of 180 minutes | A-1 | | | | | | |
| 2. Adjusted attendance in classes of 150 minutes (Refer to Special Instruction Sheet) | A-2 | | | | | | |
| B. ELEMENTARY | | | | | | | |
| 1. Regular day classes—attendance in grades one through three | B-1 | | | | | | |
| 2. Regular day classes—attendance in grades four through eight or four through six, whichever is applicable | B-2 | | | | | | |
| 3. Attendance in special education programs | B-3 | | | | | | |
| 4. Adjusted attendance of trainable mentally retarded minors in classes of less than 180 minutes | B-4 | | | | | | |
| C. SUMMER SCHOOLS | C | | | | | | |
| D. SPECIAL CLASSES MAINTAINED DURING SUMMER MONTHS | D | | | | | | |
| *(For item II-E, use 175 days as divisor.)* | | | | | | | |
| E. OPPORTUNITY SCHOOLS | E | | | | | | |
| F. TOTAL A.D.A. | F | | | | | | |
| G. Total annual enrollment related to the a.d.a. reported on line IIB1 | | | | | | | |
| H. Total annual enrollment related to the a.d.a. reported on line IIB2 | | | | | | | |

J-18-A SUPPLEMENT

## CERTIFICATION

*I hereby certify that, to the best of my knowledge and belief, this report is true and correct.*

1. *All attendance in remedial classes and classes provided by the county superintendent of schools has been excluded in Item II of this report.*
2. *All attendance data have been compiled and reported in accordance with the provisions of the Education Code and the rules and regulations of the State Board of Education as contained in the California Administrative Code, Title 5, Education, and the instructions for this report form.*
3. *No attendance in summer schools or intersessions has been included herein, unless such classes were approved by the Office of Curriculum Services.*

SIGNED _____
Principal

Date _____

Examined and approved (See general instructions 1 and 2.)

_____ _____
Date City/District Superintendent

Examined and approved (See General Instruction 3.)

_____ _____
Date County Superintendent of Schools

Any inquiries concerning this report should be directed to the attention of:

NAME:

TELEPHONE NO.:

## GENERAL INSTRUCTIONS

Please read all instructions before making any entries.

1. PRINCIPAL'S RESPONSIBILITY. The principal of each elementary school shall prepare this annual report of attendance of pupils residing outside the district for whom tuition is charged. The report shall be prepared in triplicate plus sufficient copies to furnish a copy to each district of residence. If no city or district superintendent of schools is employed, the principal shall indicate "No superintendent employed" in the space provided for the superintendent's approval and shall assume the responsibilities indicated in General Instruction 2. If a central attendance accounting system has been approved by the State Department of Education, it is *not* necessary for the principal to prepare this report.
2. CITY OR DISTRICT SUPERINTENDENT'S RESPONSIBILITY. The city or district superintendent shall examine and approve this report and shall prepare a composite report in triplicate of the reports received from all the schools in the district. He shall transmit the original and one copy to the county superintendent of schools and retain one copy for his files.
3. COUNTY SUPERINTENDENT'S RESPONSIBILITY. The county superintendent of schools shall examine and approve this report and shall send the original report, not later than July 15, to WILSON RILES, Superintendent of Public Instruction, attention of the Bureau of School Apportionments and Reports, California State Department of Education, Sacramento, California 95814. This report constitutes the county superintendent's report to the Superintendent of Public Instruction. One copy shall be retained for the county files.

## SPECIAL INSTRUCTIONS

1. On separate forms for each district, report the attendance of pupils residing outside the reporting district if tuition is charged. If tuition is not charged for pupils residing outside the district, include the attendance for these pupils on Form No. J-18-A together with the attendance of pupils residing in the district.
2. See instruction 13 of the Special Instructions for Reports of Attendance to determine when attendance for seventh and eighth grade students shall be reported on this supplemental form. Attendance of seventh and eighth grades must not be reported as attendance of a high school district on this form.
3. Do *not* report the attendance of students residing outside California on this elementary supplemental attendance report.
4. This supplemental report is to be used by school districts only, not by the offices of county superintendents of schools.
5. All of the special instructions for Form No. J-18, "Report of Attendance for Kindergarten and Elementary," also apply to the Form No. J-18 SUPPLEMENT.
6. Please note that the enrollments on lines G and H are for the pupils in regular classes reported on lines II-B-1 and II-B-2. The average daily attendance may not exceed the enrollment.

Wilson Riles

*Superintendent of Public Instruction*

CALIFORNIA STATE DEPARTMENT
OF EDUCATION
Form J-19-A (Rev. 6-77)

# Annual Report of Attendance for High School Students Residing in the District

**For the period commencing July 1, 1976, and ending June 30, 1977**

| High School | County |
|---|---|
| School District | |

Before making any entries on this form, please read carefully the directions on the separate (white) Special Instructions for Reports of Attendance for the fiscal year 1976-77.

I. Type of school
- A. Necessary small high school ..... ____
- B. Necessary approved separate continuation high school ..... ____
- C. Other high schools ..... ____

II. Number of days taught ..... ____

FOR STATE USE ONLY

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| County and district codes | | | | | | | | |
| School code | | | | | | | | |

| III. Type of class | | Total days of apportionment attendance 1 | | Average daily attendance 2 | | For state use only 3 |
|---|---|---|---|---|---|---|
| | | Whole number | Decimal | Whole number | Decimal | |
| A. REGULAR CLASSES, INCLUDING SPECIAL SCHOOLS AND CLASSES AND INDIVIDUAL INSTRUCTION (Use as divisor the number entered in II.) | | | | | | |
| 1. Regular classes | A1 | | | | | |
| 2. Special schools and classes and individual instruction | A2 | | | | | |
| 3. Attendance of trainable mentally retarded minors in classes of less than 180 minutes | A3 | | | | | |
| B. SUMMER SCHOOL / INTERSESSION (Use as divisor the number entered in II.) | B | | | | | |
| C. SPECIAL CLASSES MAINTAINED DURING THE SUMMER MONTHS (Use as divisor the number entered in II.) | C | | | | | |
| D. CLASSES FOR ADULTS (Use as divisor 175.) | | | | | | |
| 1. Concurrently enrolled in regular program | D1 | | | | | |
| 2. Not concurrently enrolled in regular program | D2 | | | | | |
| E. COMPULSORY CONTINUATION EDUCATION (Use as divisor 175.) | E | | | | | |
| F. OPPORTUNITY SCHOOLS (Use as divisor 175.) | F | | | | | |
| G. REGIONAL OCCUPATIONAL CENTERS AND PROGRAMS (Use as divisor 175.) | | | | | | |
| 1. Concurrently enrolled in regular program | G1 | | | | | |
| 2. Not concurrently enrolled in regular program | G2 | | | | | |
| H. APPORTIONMENT A.D.A. TOTALS | | | | | | |
| 1. Sum of lines A1 + A2 + A3 + B + C + D1 + E + F + G1 | H1 | | | | | |
| 2. Sum of lines D2 + G2 | H2 | | | | | |
| 3. Sum of lines H1 + H2 | H3 | | | | | |

IV. Total annual enrollment related to the a.d.a. reported on line A1 ..... ____

J-19-A

V. Construction *(Does not apply to continuation high schools)*

A. Has the school district undertaken building construction during this fiscal year in respect to a small high school? _____

B. Has the governing board provided:

(1) Separate facilities? Yes _____ No _____ (2) Separate administrative head? Yes _____ No _____

## CERTIFICATION

*I hereby certify that, to the best of my knowledge and belief, this report is true and correct.*

1. *All attendance in remedial classes and classes provided by the county superintendent of schools has been excluded in Item III of this report.*
2. *All attendance data have been compiled and reported in accordance with the provisions of the Education Code, the rules and regulations of the State Board of Education as contained in the California Administrative Code, Title 5, Education, and the instructions for this report.*
3. *No attendance in an evening high school or in classes for adults, summer schools, or intersessions has been included herein, unless such classes were approved by the Office of Curriculum Services, State Department of Education.*

**Examined and approved**

_____ _____

Date City/District Superintendent

**Examined and approved**

_____ _____

Date County Superintendent of Schools

**Any inquiries concerning this report should be directed to the attention of:**

_____

[Signed] _____ _____

Principal Date

## INSTRUCTIONS

**1. PRINCIPAL'S RESPONSIBILITY**

a. The principal of each high school shall prepare this annual report, filing the original and one copy with the city or district superintendent of schools. If no such superintendent of schools is employed in the district, the original and one copy shall be filed with the county superintendent of schools immediately after the close of school, and one copy shall be retained for the high school files.

b. If no city or district superintendent of schools is employed, the principal shall indicate "No Superintendent Employed" in the space provided for the superintendent's approval, and he shall assume the responsibilities indicated in instruction Number 2.

c. If a central attendance accounting system has been approved by the State Department of Education, the principal is not required to complete this form, but the district reports may be completed at the central office.

**2. CITY OR DISTRICT SUPERINTENDENT'S RESPONSIBILITY**

The city or district superintendent shall examine and approve this report and shall prepare a composite report, in triplicate, of the reports received from all the schools in the district; he shall transmit the original and one copy to the county superintendent of schools and retain one copy for his files.

**3. COUNTY SUPERINTENDENT'S RESPONSIBILITY**

The county superintendent shall examine and approve this report and shall send the original report not later than July 15, 1977 to WILSON RILES, Superintendent of Public Instruction, attention of the Bureau of School Apportionments and Reports, State Department of Education, Sacramento, California 95814. This constitutes the county superintendent's report to the Superintendent of Public Instruction. One copy shall be retained for county files.

**4. SEPARATE REPORTS**

a. Separate reports shall be made for each approved separate continuation high school and for each school which is reporting less than 301 a.d.a. and which has been declared necessary.

b. With the exception of the necessary small and separate continuation high schools under 301 a.d.a., high school districts shall make a composite report for all attendance for grades nine through twelve, including summer school.

**5. REPORTS FOR JUNIOR HIGH SCHOOLS**

Attendance data for grades seven and eight shall be reported on Form J-19E-A. Attendance data for grade nine shall be reported in Item III of this J-19-A.

**6. EXCLUSIONS**

Attendance of the following shall not be included in this report:

a. Pupils living in an adjoining state which is contiguous to the school district (Education Code Section 48050)

b. Any pupil whose parents' actual and legal residence is in an adjacent foreign country, when such parents are required to reimburse the district for the total cost (Education Code Section 48052)

c. Classes, the total cost of which is paid from federal funds (Education Code Section 52370)

d. Community service classes (Education Code Sections 51810–51815)

e. The attendance for schools and classes maintained by the county superintendent of schools (Report on Form J-28-A.)

**SPECIAL INSTRUCTION**

When tuition is charged, report attendance of pupils residing outside the district on Form J-19-A Supplement. Do not report such attendance on this form. When tuition is not charged for pupils residing outside the district, report the attendance on this Form J-19-A with the attendance of pupils residing in the district.

Classes for adults maintained in any county jail, county industrial farm, county or joint county road camp should be reported on J-19-A even though they were excluded from J-19-P1 and J-19-P2.

Wilson Riles

*Superintendent of Public Instruction*

DO NOT REPORT ATTENDANCE OF ROC/ROP STUDENTS EDUCATED BY THE COUNTY SUPERINTENDENT. THIS ATTENDANCE WILL BE REPORTED BY THE COUNTY SUPERINTENDENT OF SCHOOLS ON FORM NO. J-19-A SUPPLEMENT, COUNTY.

California State
Department of Education
Form J-19-A (Rev. 5-77)

SUPPLEMENT
DISTRICT

# ANNUAL REPORT OF ATTENDANCE FOR HIGH SCHOOL STUDENTS RESIDING OUTSIDE THE REPORTING DISTRICT IF TUITION IS CHARGED

**For the Period Commencing July 1, 1976, and Ending June 30, 1977**

Before making any entries on this form, please read carefully the directions on the separate (white) Special Instructions for Reports of Attendance for the fiscal year 1976-77.

| School district of attendance | County | FOR STATE USE ONLY |
|---|---|---|
| | | |

Credit attendance to the following:

| School district of residence | County | FOR STATE USE ONLY |
|---|---|---|
| | | |

II. Number of days taught .....

| III. Type of class | | Total days of apportionment attendance 1 | | Average daily attendance 2 | | For state use only 3 |
|---|---|---|---|---|---|---|
| | | *Whole number* | *Decimal* | *Whole number* | *Decimal* | |
| A. REGULAR CLASSES, INCLUDING SPECIAL SCHOOLS AND CLASSES AND INDIVIDUAL INSTRUCTION (Use as divisor the number entered in II.) | | | | | | |
| 1. Regular classes | A1 | | | | | ◄ |
| 2. Special schools and classes and individual instruction | A2 | | | | | ◄ |
| 3. Attendance of trainable mentally retarded minors in classes of less than 180 minutes | A3 | | | | | ◄ |
| B. SUMMER SCHOOL/INTERSESSION (Use as divisor the number entered in II.) | B | | | | | ● |
| C. SPECIAL CLASSES MAINTAINED DURING THE SUMMER MONTHS (Use as divisor the number entered in II.) | C | | | | | ◄ |
| D. CLASSES FOR ADULTS (Use as divisor 175.) | | | | | | |
| 1. Concurrently enrolled in regular program | D1 | | | | | ◄ |
| 2. Not concurrently enrolled in regular program | D2 | | | | | ◆ |
| E. COMPULSORY CONTINUATION EDUCATION (Use as divisor 175.) | E | | | | | ◄ |
| F. OPPORTUNITY SCHOOLS (Use as divisor 175.) | F | | | | | ◄ |
| G. REGIONAL OCCUPATIONAL CENTERS AND PROGRAMS (Use as divisor 175.) | | | | | | |
| 1. Concurrently enrolled in regular program | G1 | | | | | ◄ |
| 2. Not concurrently enrolled in regular program | G2 | | | | | ◆ |
| H. APPORTIONMENT A.D.A. TOTALS | | | | | | |
| 1. Sum of lines A1 + A2 + A3 + B + C + D1 + E + F + G1 | H1 | | | | | ●◄ |
| 2. Sum of lines D2 + G2 | H2 | | | | | ◆ |
| 3. Sum of lines H1 + H2 | H3 | | | | | |

IV. Total annual enrollment related to the a.d.a. reported on line A1 .....

J-19-A SUPPLEMENT, DISTRICT

## CERTIFICATION

*I hereby certify that, to the best of my knowledge and belief, this report is true and correct.*

1. *All attendance in remedial classes and classes provided by the county superintendent of schools has been excluded from this report.*
2. *All attendance data have been compiled and reported in accordance with the provisions of the Education Code, the rules and regulations of the State Board of Education as contained in the California Administrative Code, Title 5, Education, and the instructions for this report.*
3. *No attendance in an evening high school or in classes for adults, summer schools, or intersessions has been included herein, unless such classes were approved by the Office of Curriculum Services, State Department of Education.*

[Signed]_____
Principal

Date_____

**Examined and approved**

_____
Date City/District Superintendent

**Examined and Approved**

_____
Date County Superintendent of Schools

**Any inquiries concerning this report should be directed to the attention of:**

Name _____

Telephone _____

## GENERAL INSTRUCTIONS

1. PRINCIPAL'S RESPONSIBILITY

a. The principal of each high school shall prepare the annual report of attendance of pupils residing outside the district for whom tuition is charged, filing the original and two copies with the city or district superintendent of schools; if no such superintendent is employed in the district, the original and one copy shall be filed with the county superintendent of schools immediately after the close of the school year, and one copy shall be retained for the high school files. When tuition is not charged for pupils residing outside the district, report the attendance on Form J-19-A with the attendance of pupils residing in the district.

b. Seventh and eighth grade pupils should not be reported as residents of a high school district even if the interdistrict attendance agreement is with a high school district that maintains a junior high school; the district of attendance should report such attendance for seventh and eighth grade pupils in the elementary district in which the pupils live.

c. Do not report the attendance of students residing outside California on this high school supplemental attendance report.

d. If no city or district superintendent of schools is employed, the principal shall indicate "No Superintendent Employed" in the space provided for the superintendent's approval, and the principal shall assume the responsibilities indicated in Instruction 2.

e. If a central attendance accounting system has been approved by the State Department of Education, the principal is not required to complete this form, but the district reports may be completed at the central office.

2. CITY OR DISTRICT SUPERINTENDENT'S RESPONSIBILITY

The city or district superintendent shall examine and approve this report and shall prepare a composite report, in triplicate, of the reports from all the schools in the district; he or she shall transmit the original and one copy to the county superintendent of schools and retain one file copy.

3. COUNTY SUPERINTENDENT'S RESPONSIBILITY

The county superintendent shall examine and approve this report and shall send the original report, not later than July 15, 1977, to WILSON RILES, Superintendent of Public Instruction, attention of the Bureau of School Apportionments and Reports, State Department of Education, 721 Capitol Mall, Sacramento, California 95814. This constitutes the county superintendent's report to the Superintendent of Public Instruction. One copy shall be retained for the county files.

## SPECIAL INSTRUCTIONS

When the reporting district charges tuition, it shall report attendance of pupils residing outside the district on Form J-19-A Supplement but not on Form J-19-A itself. When tuition is not charged for pupils residing outside the district, attendance shall be reported on Form J-19-A together with the attendance of pupils residing in the district.

A district paying tuition for pupils attending outside the district shall not report such attendance on Form J-19-A.

DO NOT REPORT ATTENDANCE OF ROC/ROP STUDENTS EDUCATED BY THE COUNTY SUPERINTENDENT. THIS ATTENDANCE WILL BE REPORTED BY THE COUNTY SUPERINTENDENT OF SCHOOLS ON FORM NO. J-19-A SUPPLEMENT COUNTY.

*Superintendent of Public Instruction*

California State
Department of Education
Form No. J-19-A Supplement
County (New 5-77)

# ANNUAL REPORT OF ATTENDANCE FOR COUNTY SUPERINTENDENT OF SCHOOLS FOR EDUCATION OF STUDENTS IN COUNTY-OPERATED REGIONAL OCCUPATIONAL CENTERS OR PROGRAMS

For the period commencing July 1, 1976, and ending June 30, 1977

Please read instructions on back before making any entries on this form.

I. County of attendance _____ FOR STATE USE ONLY [ ][ ] [ ][ ][ ][ ]

II. Credit attendance to the following:

School district of residence _____ FOR STATE USE ONLY [ ][ ] [ ][ ][ ][ ]

County _____

III. Number of days taught..... 175

| IV. Type of class | Total days of apportionment attendance 1 | | Average daily attendance 2 | | For state use only 3 |
|---|---|---|---|---|---|
| A. REGIONAL OCCUPATIONAL CENTERS AND PROGRAMS (Use as divisor 175.) | | | | | |
| 1. Concurrently enrolled in regular high school program..... | | | | | |
| 2. Not concurrently enrolled in regular high school program..... | | | | | |
| B. APPORTIONMENT A.D.A. TOTALS | | | | | |
| A-1..... | | | | | |
| A-2..... | | | | | |
| Total A-1+A-2..... | | | | | |

## CERTIFICATION

I hereby certify that to the best of my knowledge and belief:

1. This report is true and correct.
2. All attendance data have been compiled and reported in accordance with the provisions of the Education Code and the regulations of the State Board of Education as contained in the California Administrative Code, Title 5, and the instructions in this form.

Date _____ (Signed) _____
(County superintendent of schools)

J-19-A SUPPLEMENT, COUNTY

## GENERAL INSTRUCTIONS

1. RESPONSIBILITY FOR FILING
   This form is to be completed by the county superintendent of schools for those secondary grades in schools and classes maintained by the county superintendent of schools. The county superintendent of schools shall certify and approve this report. This constitutes his report to the Superintendent of Public Instruction.

   The original copy of each form shall be sent to WILSON RILES, Superintendent of Public Instruction, attention Bureau of School Apportionments and Reports, California State Department of Education, 721 Capitol Mall, Sacramento, CA 95814, on or before July 15, 1977. A duplicate copy shall be retained for the county files.

2. DIVISOR FOR COMPUTING AVERAGE DAILY ATTENDANCE
   The average daily attendance shall be determined by dividing the days of attendance by 175 (Education Code Section 41601).

3. ATTENDANCE PERIOD
   The attendance reported by the county superintendent of schools shall be credited from July 1, 1976 to June 30, 1977 for this annual report.

4. A separate report shall be completed for each separate district served by the county superintendent of schools.

## SPECIAL INSTRUCTIONS

Enter on Line I the county of attendance.

Enter on Line II the district of residence and county in which the district of residence is located.

Enter on Line IV-A-1 the attendance of those students attending ROC/ROP classes and who are concurrently enrolled in a regular high school program.

Enter on Line IV-A-2 the attendance of those students attending ROC/ROP classes and who are not concurrently enrolled in a regular high school program.

To be considered as a student enrolled in a regular High School Program, a student must be enrolled in a regular high school for not less than 240 minutes, in a continuation program for not less than 180 minutes, or in an opportunity school for not less than 180 minutes.

California State Department
of Education
Form J-19E-A (Rev. 5-77)

# ANNUAL REPORT OF ATTENDANCE FOR ELEMENTARY PUPILS ATTENDING A JUNIOR HIGH SCHOOL MAINTAINED BY A HIGH SCHOOL DISTRICT

## GRADES SEVEN AND EIGHT ONLY

**For the Period Commencing July 1, 1976, and Ending June 30, 1977**

Before making any entries on this form, please read carefully the directions on the separate Special Instructions for Reports of Attendance for the fiscal year 1976-77 and the instructions on the reverse of this form.

| Junior high school | | FOR STATE USE ONLY |
|---|---|---|
| School district of attendance | County | |

Credit attendance to the following:

| School district of residence | County | FOR STATE USE ONLY |
|---|---|---|

I. Number of days taught in regular day classes . . . . . ____

II. Attendance data to be employed in the principal apportionment of the State School Fund

Decimal points are to be omitted from numerical entries in this report since the decimal line has been provided to represent them. Decimal entries shall be rounded to two places. If there is no decimal fraction, two zeros shall be shown.

| *Type of Class* | | *Total days of apportionment attendance* | | *Average daily attendance (Column 1 divided by designated divisor)* | | *For state use only* | |
|---|---|---|---|---|---|---|---|
| | | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal |
| (For items II-A, II-B, and II-C, use number of days taught as divisor.) | | | | | | | |
| A. 1. ATTENDANCE IN JUNIOR HIGH SCHOOL GRADES SEVEN AND EIGHT (Total of regular classes) . . . . . | A-1 | | | | | | |
| 2. ATTENDANCE IN SPECIAL EDUCATION PROGRAMS . . | A-2 | | | | | | |
| 3. ADJUSTED ATTENDANCE OF TRAINABLE MENTALLY RETARDED MINORS IN CLASSES OF LESS THAN 180 MINUTES . . . . . | A-3 | | | | | | |
| B. SUMMER SCHOOLS (See Special Instruction sheet.) . . . . . | B | | | | | | |
| C. SPECIAL CLASSES MAINTAINED DURING THE SUMMER MONTHS . . . . . | C | | | | | | |
| (For item II-D, use 175 days as divisor.) D. OPPORTUNITY SCHOOLS . . . . . | D | | | | | | |
| E. TOTAL A.D.A. . . . . | E | | | | | | |
| F. TOTAL ANNUAL ENROLLMENT RELATED TO THE A.D.A. REPORTED ON LINE IIA1 . . . . . | | | | | | | |

J-19-E-A

## CERTIFICATION

*I hereby certify that, to the best of my knowledge and belief, this report is true and correct.*

1. *All attendance in remedial classes and classes provided by the county superintendent of schools has been excluded in Item II of this report.*
2. *All attendance data have been compiled and reported in accordance with the provisions of the Education Code and the rules and regulations of the State Board of Education as contained in the California Administrative Code, Title 5, Education, and the instructions for this report form.*
3. *No attendance in summer schools or intersessions has been included herein, unless such classes were approved by the Office of Curriculum Services.*
4. *This report credits attendance to the actual district of residence of the seventh and eighth grade pupils.*

SIGNED _____
Principal

Date _____

Examined and approved (See instructions 1b and 2.)

_____ _____
Date City/District Superintendent

Examined and approved (See instruction 3.)

_____ _____
Date County Superintendent of Schools

Any inquiries concerning this report should be directed to the attention of:

NAME:

TELEPHONE NO.:

## GENERAL INSTRUCTIONS

Please read all instructions before making any entries.

### 1. PRINCIPAL'S RESPONSIBILITY FOR FILING THIS REPORT

a. Please see the special instructions to determine the correct form to use for reporting seventh and eighth grade attendance.

b. The principal of each junior high school shall prepare this annual report, filing the original and two copies with the city or district superintendent of schools; if no such superintendent of schools is employed in the district, the original and one copy are filed with the county superintendent of schools immediately after June 30 and one is retained for the junior high school files.

c. If no city or district superintendent of schools is employed, the principal shall indicate "No Superintendent Employed" in the space provided for the superintendent's approval, and he shall assume the responsibilities indicated in instruction 2.

### 2. CITY OR DISTRICT SUPERINTENDENT'S RESPONSIBILITY

The city or district superintendent shall examine and approve this report, shall prepare in triplicate for each district of residence one composite report of reports received from all the schools in the district, shall transmit the original and one copy to the county superintendent of schools, and shall retain one copy for his files.

### 3. COUNTY SUPERINTENDENT'S RESPONSIBILITY

The county superintendent of schools shall examine and approve this report and shall transmit it, not later than July 15, to WILSON RILES, Superintendent of Public Instruction, attention of the Bureau of School Apportionments and Reports, State Department of Education, Sacramento, California 95814. This constitutes his report to the Superintendent of Public Instruction. One copy shall be retained for the county files.

Wilson Riles

*Superintendent of Public Instruction*

CALIFORNIA STATE
DEPARTMENT OF EDUCATION
Form No. J-22-A (Rev. 5-77)

# ANNUAL REPORT FOR SPECIAL PROGRAMS

**(For school districts only. County superintendents do not file an annual report.)**
**For the Period Beginning July 1, 1976, and Ending June 30, 1977**

_____ School District _____ County

See separate form (white) for instructions.

| FOR STATE USE ONLY | | |
|---|---|---|
| Code | | Grade |
| A | | K, 1-8 |
| B | | 7-12 |
| C | | 9-12 |

**For State Use Only**

CODE | | | | | | |

Grade span _____ through _____
(lowest) (highest)

**SECTION I.** Number of days used to compute a.d.a. for extended sessions . . . . . 175

**SECTION II. Attendance for physically handicapped.** (Enter totals in columns 2 through 5 for classes in categories listed below.)

| Special day classes | For state use only | Maximum class size established by law (Col. 1) | Total number of special classes maintained by district or county superintendent (Col. 2) | Average daily attendance: Accumulated for such classes during regular school year (Col. 3a) | | Average daily attendance: Accumulated for extended sessions for such classes (Col. 3b) | | Average daily attendance: Total (Col. 3a plus Col. 3b) (Col. 3c) | | Average daily attendance: Breakdown of Col. 3c if a.d.a. includes more than one level: K and grades 1–8, Jr. high grades 7–8 (Col. 3d(1)) | | Average daily attendance: Breakdown of Col. 3c if a.d.a. includes more than one level: Grades 9–12 (Col. 3d(2)) | | Classes to be considered (Col. 3a divided by class size, Col. 1) (Col. 4) | Aggregate number of days taught in such classes in excess of days taught on regular classes (Col. 5) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | | |
| A. DEAF | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 6 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 8 | | | | | | | | | | | | | |
| B. SEVERELY HARD OF HEARING | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 8 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 10 | | | | | | | | | | | | | |
| C. BOTH DEAF AND SEVERELY HARD OF HEARING | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 6 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 8 | | | | | | | | | | | | | |
| D. BLIND | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 8 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 10 | | | | | | | | | | | | | |
| E. PARTIALLY SEEING | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 10 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 12 | | | | | | | | | | | | | |
| F. COMBINATION OF BLIND AND PARTIALLY SEEING | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 8 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 10 | | | | | | | | | | | | | |
| G. ORTHOPEDIC OR OTHER HEALTH IMPAIRED | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 12 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 16 | | | | | | | | | | | | | |
| 3. Drug dependent minors | | 10 | | | | | | | | | | | | | |
| H. APHASIC | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 6 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 8 | | | | | | | | | | | | | |
| I. DEAF-BLIND MULTIHANDICAPPED | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 3 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 5 | | | | | | | | | | | | | |

J-22-A

**SECTION II. Attendance for physically handicapped.** (Enter totals in columns 2 through 5 for classes in categories listed below.) (Concluded)

Special day classes (continued)

| | For state use only | Maximum class size established by law | Total number of special classes maintained by district or county superintendent | Average daily attendance: Accumulated for such classes during regular school year | | Accumulated for extended sessions for such classes | | Total (Col. 3a plus Col. 3b) | | Breakdown of Col. 3c if a.d.a. includes more than one level: K and grades 1–8, Jr. high grades 7–8 | | Grades 9–12 | | Classes to be considered (Col. 3a divided by class size, Col. 1) | Aggregate number of days taught in such classes in excess of days taught in regular classes |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Col. 1 | Col. 2 | Col. 3a | | Col. 3b | | Col. 3c | | Col. 3d(1) | | Col. 3d(2) | | Col. 4 | Col. 5 |
| | | | | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | | |
| J. OTHER MULTIHANDICAPPED | | | | | | | | | | | | | | | |
| 1. Age range 3 through 8 years | | 6 | | | | | | | | | | | | | |
| 2. Age range 9 through 20 years | | 8 | | | | | | | | | | | | | |
| K. PREGNANT MINORS | | 20 | | | | | | | | | | | | | |
| L. TOTALS FOR SPECIAL DAY CLASSES | | | | | | | | | | | | | | | |
| M. OTHER PHYSICALLY HANDICAPPED | | | | | | | | | | | | | | | |
| 1. In regular day classes | | | | | | | | | | | | | | | |
| 2. In remedial physical education | | | | | | | | | | | | | | | |
| 3. Other remedial instruction | | | | | | | | | | | | | | | |
| 4. Individual instruction | | | | | | | | | | | | | | | |
| 5. Special speech instruction by speech aides | | | | | | | | | | | | | | | |
| N. TOTAL OTHER PHYSICALLY HANDICAPPED | | | | | | | | | | | | | | | |
| O. TOTAL AVERAGE DAILY ATTENDANCE FOR PHYSICALLY HANDICAPPED (total of lines L and N) | | | | | | | | | | | | | | | |
| P. BLIND PUPILS | | | | | | | | | | | | | | | |

**SECTION III. Attendance for mentally retarded.** (Enter totals in columns 2 through 5 for classes in categories listed below.)

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| A. EDUCABLE MENTALLY RETARDED | | | | | | | | | | | | | | | |
| Classes with chronological age span of: | | | | | | | | | | | | | | | |
| 1. Four years or less | | 18 | | | | | | | | | | | | | |
| 2. More than four years | | 15 | | | | | | | | | | | | | |
| 3. Total special classes | | | | | | | | | | | | | | | |
| 4. Educable retarded in regular classes | | | | | | | | | | | | | | | |
| 5. Total educable retarded | | | | | | | | | | | | | | | |
| B. TRAINABLE MENTALLY RETARDED. (Show computation of a.d.a. on supplemental report, Form J-22-A, for classes operated for less than 180 minutes.) | | 12 | | | | | | | | | | | | | |

J-22-A

**SECTION IV. Transportation of Certain Handicapped Pupils.** Enter average daily attendance rounded off to nearest whole number.

| | Average daily attendance (Whole No.) | FOR STATE USE ONLY |
|---|---|---|
| A. PHYSICALLY HANDICAPPED AND TRAINABLE MENTALLY RETARDED TRANSPORTED TO SPECIAL DAY CLASSES (Education Code sections 41863 and 41864) | | |
| 1. Physically handicapped | | |
| 2. Trainable mentally retarded | | |
| 3. Autistic | | |
| 4. Total average daily attendance (line 1 plus line 2 plus line 3) | | |
| 5. A.d.a. of pupils reported in Item A4 for whom vehicles are used exclusively for such transportation | | |
| 6. Total cost for transportation of pupils reported in Item A5 (actual cost between July 1 and June 30, rounded off to nearest dollar) | | |
| B. PHYSICALLY HANDICAPPED IMPAIRED IN VISION OR HEARING TRANSPORTED TO CALIFORNIA SCHOOL FOR BLIND OR DEAF OR TO SOME LOCATION IN ANOTHER SCHOOL DISTRICT FOR SPECIALIZED INSTRUCTION (Education Code Section 41866). (Only districts may claim this allowance.) | | |
| 1. Average daily attendance | | |
| 2. A.d.a. of pupils reported in B1 for whom vehicles are used exclusively for such purpose | | |
| 3. Total cost for transportation of pupils reported in B2 (actual cost between July 1 and June 30, rounded off to nearest dollar) | | |

**SECTION V. Attendance data for educationally handicapped**

| | For state use only | Maximum class size established by law (Col. 1) | Total number of special classes maintained by district or county superintendent (Col. 2) | Average daily attendance: Accumulated for such classes during regular school year (Col. 3a) | | Accumulated for extended sessions for such classes (Col. 3b) | | Total (Col. 3a plus Col. 3b) (Col. 3c) | | Breakdown of Col. 3c if a.d.a. includes more than one level: K and grades 1–8, Jr. high grades 7–8 (Col. 3d(1)) | | Grades 9–12 (Col. 3d(2)) | | Classes to be considered (Col. 3a divided by class size, Col. 1) (Col. 4) | Aggregate number of days taught in such classes in excess of days taught in regular classes (Col. 5) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | | |
| A. SPECIAL DAY CLASSES | | | | | | | | | | | | | | | |
| 1. Educationally handicapped | | 12 | | | | | | | | | | | | | |
| 2. Autistic | | 6 | | | | | | | | | | | | | |
| 3. Total classes | | | | | | | | | | | | | | | |
| B. OTHER EDUCATIONALLY HANDICAPPED | | | | | | | | | | | | | | | |
| 1. Learning disability groups | | | | | | | | | | | | | | | |
| 2. Home and hospital instruction | | | | | | | | | | | | | | | |
| 3. Instruction in regular classes by an instructional aide | | | | | | | | | | | | | | | |
| 4. Total other | | | | | | | | | | | | | | | |
| C. TOTAL AVERAGE DAILY ATTENDANCE (A3 plus B4) | | | | | | | | | | | | | | | |

D. SPECIAL CONSULTATION ALLOWANCE

Is a program being conducted to provide special consultation to teachers, counselors, and supervisors of educationally handicapped pupils by specialists not regularly employed by the district or the county superintendent of schools? (See Special Instruction 2(d), page 3, for amount allowed.) Yes___ No___

E. Enter prior year enrollment in programs for the educationally handicapped as of sixth school month. (Unified districts, include enrollments at both levels.) _____

F. Enter the current year average enrollment in programs for educationally handicapped for the first and sixth school months. (A. First month_____ B. Sixth month_____) _____ (Average)

G. Enter current year average enrollment of all pupils. (Unified districts, include enrollments at both levels.) (A. First month_____ B. Sixth month_____) _____ (Average)

H. If Item F is greater than 120 percent of E, has prior approval for extension of the program been secured from the Superintendent of Public Instruction? Yes___ No___

I. If Item F is greater than 2 percent of G, has prior approval been secured from the Superintendent of Public Instruction to exceed 2 percent of the district enrollment? Yes___ No___

J. If at any time during the year more than 2 percent of the juvenile hall population was enrolled in programs for the educationally handicapped, has prior approval been secured from the Superintendent of Public Instruction to exceed 2 percent of the enrollment? Yes___ No___

K. Pupils who reside in a nonprofit, tax-exempt, licensed children's institution pursuant to Education Code Section 56604 are excluded from the 2 percent enrollment limitation. The enrollment reported above excludes_____ of these pupils.

NOTE: Districts that provide an educationally handicapped program for other districts by contract should see Item 10 on the "General Instruction Sheet" for directions for reporting enrollments.

J-22-A

**SECTION VI. Mentally Gifted Minors**

*NOTE:* Pupils are to be counted in either item A or item B but cannot be counted in both items.

| | Number of participating pupils | FOR STATE USE ONLY |
|---|---|---|
| A. NUMBER OF PUPILS PARTICIPATING FOR ONE SEMESTER: | | |
| 1. In special day classes | | |
| 2. In other special programs averaging at least 200 minutes per week | | |
| 3. Total (A1 plus A2) | | |
| B. NUMBER OF PUPILS PARTICIPATING FOR ONE SCHOOL YEAR: | | |
| 1. In special day classes | | |
| 2. In other special programs averaging at least 200 minutes per week | | |
| 3. Total (B1 plus B2) | | |
| C. NUMBER OF PUPILS IDENTIFIED IN THE CURRENT FISCAL YEAR | | |

**SECTION VII. Attendance Data for Pupils Not Concurrently Enrolled in a Regular High School Program Who Are Physically Handicapped Attending a Regional Occupational Center/Program**

| | Average daily attendance | | | | | |
|---|---|---|---|---|---|---|
| | Accumulated in regular school year *Col. 1* | | Accumulated in extended sessions *Col. 2* | | Total (Col. 1 plus Col. 2) *Col. 3* | |
| | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal |
| A. VISUALLY HANDICAPPED PERSONS | | | XXXXXXX | XXXX | | |
| B. DEAF PERSONS | | | XXXXXXX | XXXX | | |
| C. ORTHOPEDICALLY HANDICAPPED PERSONS | | | XXXXXXX | XXXX | | |
| D. TOTAL | | | XXXXXXX | XXXX | | |

## CERTIFICATIONS

The deletion of or failure to complete the following certifications as required will cause this report to be returned or disallowed.

TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION

I HEREBY CERTIFY *that, to the best of my knowledge and belief, the special programs herein reported met the standards prescribed by the Education Code and the rules and regulations of the State Board of Education, as contained in the California Administrative Code, Title 5, Education, and that this report is true and correct and compiled in accordance with all instructions.*

[Signed] _____
County Superintendent of Schools

County _____ Date _____

TO THE COUNTY SUPERINTENDENT OF SCHOOLS

I HEREBY CERTIFY *that, to the best of my knowledge and belief, the special programs herein reported met the standards prescribed by the Education Code and the rules and regulations of the State Board of Education, as contained in the California Administrative Code, Title 5, Education, and that this report is true and correct and compiled in accordance with all instructions.*

[Signed] _____

Title _____

District _____ Date _____

Any inquiries concerning this report should be directed to the attention of district employee:

NAME: _____

TELEPHONE NO.: _____

Wilson Riles

*Superintendent of Public Instruction*

California State Department of Education
Form No. J-22-A (Rev. 5-77)
SUPPLEMENT

# SUPPLEMENT TO ANNUAL REPORT FOR SPECIAL PROGRAMS

**For the Period Beginning July 1, 1976 and Ending June 30, 1977**

School district | County

*Grade Span* (check ✓):
- ☐ K-6 or K-8
- ☐ 7-12
- ☐ 9-12

*This report includes* (check ✓):
- ☐ Experimental programs
- ☐ Classes exempted from prescribed enrollment requirements
- ☐ Computation of a.d.a. for trainable mentally retarded classes of less than 180 minutes

| | Enrollment (*Actual* for exempted classes; *approved* for experimental classes) Col. 1 | Total number of special classes maintained by district or county superintendent Col. 2 | Average daily attendance: Accumulated for such classes during regular school year Col. 3a | | Accumulated for extended sessions for such classes Col. 3b | | Total (Col. 3a plus Col. 3b) Col. 3c | | Breakdown of Col. 3c if a.d.a. includes more than one level: K and grades 1-8, junior high grades 7-8 Col. 3d(1) | | Grades 9-12 Col. 3d(2) | | Classes to be considered (For state use only) Col. 4 | Aggregate number days taught in such classes in excess of days taught in regular classes Col. 5 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Physically Handicapped** Enter type of class on lines 1, 2, and 3. Indicate age range by use of appropriate line. Enter other than classes on lines 4 and 5. | | | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal | | |
| 1. | | | | | | | | | | | | | | |
| Age range 3 through 8 yrs. | | | | | | | | | | | | | | |
| Age range 9 through 20 yrs. | | | | | | | | | | | | | | |
| Age range birth through 3 yrs. | | | | | | | | | | | | | | |
| 2. | | | | | | | | | | | | | | |
| Age range 3 through 8 yrs. | | | | | | | | | | | | | | |
| Age range 9 through 20 yrs. | | | | | | | | | | | | | | |
| Age range birth through 3 yrs. | | | | | | | | | | | | | | |
| 3. | | | | | | | | | | | | | | |
| Age range 3 through 8 yrs. | | | | | | | | | | | | | | |
| Age range 9 through 20 yrs. | | | | | | | | | | | | | | |
| Age range birth through 3 yrs. | | | | | | | | | | | | | | |
| 4. | | | | | | | | | | | | | | |
| 5. | | | | | | | | | | | | | | |
| **Educable Mentally Retarded** Indicate age span by use of appropriate line. | | | | | | | | | | | | | | |
| 1. Age span 4 yrs. or less | | | | | | | | | | | | | | |
| Age span more than 4 yrs. | | | | | | | | | | | | | | |
| 2. Age span 4 yrs. or less | | | | | | | | | | | | | | |
| Age span more than 4 yrs. | | | | | | | | | | | | | | |
| **Trainable Mentally Retarded** | | | | | | | | | | | | | | |
| 1. | | | | | | | | | | | | | | |
| 2. | | | | | | | | | | | | | | |
| **Educationally Handicapped** Enter other than classes on lines 3 and 4. | | | | | | | | | | | | | | |
| 1. Special day class | | | | | | | | | | | | | | |
| 2. Autistic | | | | | | | | | | | | | | |
| 3. | | | | | | | | | | | | | | |
| 4. | | | | | | | | | | | | | | |

J-22-A SUPPLEMENT

COMPUTATION OF AVERAGE DAILY ATTENDANCE FOR TRAINABLE MENTALLY RETARDED WHEN CLASSES ARE OPERATED FOR LESS THAN 180 MINUTES

Days of apportionment attendances for classes for trainable mentally retarded operated less than 180 minutes are to be adjusted by application of a factor of minutes taught over 180. Furthermore, adjustment of a.d.a. for such classes is required by application of 0.417 to a.d.a. computed (Education Code Section 11301 [46117]).

Number of days taught in regular classes for period of this report _____.

| | Total days of apportionment attendance (Adjust classes of less than 180 minutes by factor of minutes taught over 180.) Col. 1 | | Average daily attendance (Col. 1 divided by days taught, in regular classes) Col. 2 | | Adjusted average daily attendance (Enter a.d.a. from Col. 2 x 0.417 for classes of less than 180 minutes: enter a.d.a. from Col. 2 for classes of at least 180 minutes.) Col. 3 | |
|---|---|---|---|---|---|---|
| | Whole number | Decimal | Whole number | Decimal | Whole number | Decimal |
| 1. Adjusted attendance in classes of less than 180 minutes | | | | | | |
| 2. Attendance in classes of at least 180 minutes | | | | | | |
| 3. Total a.d.a. (line 1 plus line 2) (Data entered in Section IIIB, Column 3(a), Form J-22-A) | | | | | | |

## INSTRUCTIONS

The city or district superintendent shall prepare this report in triplicate. Attach one copy to each Form J-22 (Report for Special Programs) prepared.

This supplement is to be used by districts for the following:

I. EXPERIMENTAL SPECIAL EDUCATION CLASSES APPROVED BY THE STATE DEPARTMENT OF EDUCATION FOR A DIFFERENT ENROLLMENT MAXIMUM THAN THAT PRESCRIBED BY EDUCATION CODE SECTIONS 56603, 56703, 56160, 56512, AND 56517

A. **Physically Handicapped.** To report physically handicapped classes, enter the type of handicap on line 1 and the class size *approved* by the State Department of Education in Column 1 on the appropriate line for the age range involved. Complete all other columns with respect to a.d.a. If the instruction is other than in a class, indicate category such as "Individual Instruction" in items 4 or 5.

B. **Educable Mentally Retarded.** Report data for classes for the educable mentally retarded on the lines corresponding with the age span to be reported. Enter in column 1 the class enrollment *approved* by the State Department of Education. Complete all columns with respect to a.d.a.

C. **Trainable Mentally Retarded.** Report classes for the trainable mentally retarded. Complete all columns including the class enrollment *approved* by the State Department of Education in Column 1.

D. **Educationally Handicapped.** Report educationally handicapped classes the same as other exempt classes. Complete all columns as applicable. If instruction is other than in a class, indicate category such as "learning disability group" in items 3 or 4.

II. CLASSES EXEMPTED FROM THE PRESCRIBED CLASSROOM ENROLLMENT REQUIREMENTS FOR APPORTIONMENT PURPOSES

Report these classes in the same manner as experimental classes except that the *actual* enrollment for the class will be shown in column 1 instead of approved total.

III. SPECIAL CLASSES FOR THE TRAINABLE MENTALLY RETARDED FOR LESS THAN 180 MINUTES PER DAY

Adjust the days of apportionment attendance by multiplying such days of attendance by the ratio of the number of minutes the class was held to 180. Divide the days of apportionment attendance by the actual days taught to determine a.d.a., then adjust such a.d.a. by multiplying by a factor of 0.417.

PLEASE NOTE:

If any approval for an experimental program or a class exempted from maximum enrollment was attached to Form J-22 SUPPLEMENT for the second report period, it is not necessary to attach a copy to this annual report. If the approval has been granted since the second report, please attach a copy to the Form J-22 SUPPLEMENT submitted.

Complete a supplement for each grade span. Do not file one supplement for K-12. If there is not sufficient space to report all the approved experimental programs and exemptions on one form, use additional forms.

*DO NOT ENTER A.D.A. FOR EXPERIMENTAL PROGRAMS OR CLASSES EXEMPTED FROM PRESCRIBED CLASSROOM ENROLLMENT REQUIREMENTS ON FORM J-22. THE STATE WILL TRANSFER THE A.D.A. FROM THE J-22 FORM SUPPLEMENT TO FORM J-22 (REPORT FOR SPECIAL PROGRAMS).*

Page 2

California State Department
of Education
Form J-27-A (Rev. 5-77)

# County Superintendent's Report of Schools and Classes Maintained in a Specific District

## ANNUAL REPORT FOR ELEMENTARY SCHOOL ATTENDANCE

**For the Period Commencing July 1, 1976, and Ending June 30, 1977**

*Please read carefully all the instructions on the reverse of this form.*

| County | FOR STATE USE ONLY |
|---|---|
| School district where class(es) are located | Code No. |

## I. ATTENDANCE DATA

Decimal points are to be omitted from numerical entries in this report since the decimal line has been provided to represent them. Decimal entries shall be rounded to two places. If there is no decimal fraction, two zeros shall be shown.

| Attendance category | Total days of apportionment attendance 1 | | Average daily attendance (Col. 1 divided by 175) 2 | | For state use only 3 | |
|---|---|---|---|---|---|---|
| | Whole No. | Dec. | Whole No. | Dec. | Whole No. | Dec. |
| A. EMERGENCY SCHOOLS | | | | | | |
| 1. Normal Pupils | | | | | | |
| 2. Physically Handicapped, Special Day Classes | | | | | | |
| B. SPECIAL TRAINING SCHOOLS AND CLASSES FOR MENTALLY RETARDED | | | | | | |
| 1. Educable Mentally Retarded | | | | | | |
| a. From districts under 901 a.d.a. | | | | | | |
| b. From districts over 900 a.d.a. | | | | | | |
| 2. Trainable Mentally Retarded | | | | | | |
| a. From districts under 8,000 a.d.a. | | | | | | |
| b. From districts over 7,999 a.d.a. | | | | | | |
| C. EDUCATIONALLY HANDICAPPED | | | | | | |
| 1. Special Day Classes | | | | | | |
| a. From districts under 901 a.d.a. | | | | | | |
| b. From districts over 900 a.d.a. | | | | | | |

## II. SPECIAL EDUCATION A.D.A. DETAIL

(NOT REQUIRED FOR ANNUAL REPORT)

J-27-A

## CERTIFICATION BY COUNTY SUPERINTENDENT OF SCHOOLS

*I hereby certify that the data contained in the foregoing report of attendance are true and correct and in exact conformity with any available records or reports filed in my office, to the best of my knowledge and belief.*

Date _____ (Signed) _____
County Superintendent of Schools

## GENERAL INSTRUCTIONS

1. RESPONSIBILITY FOR FILING
This form is to be completed by the county superintendent of schools for the purpose of claiming apportionment from the State School Fund for those schools and classes conducted by the county superintendent of schools' office. The county superintendent of schools shall certify and approve this report. This constitutes his report to the Superintendent of Public Instruction.
The original copy of each form shall be sent to WILSON RILES, Superintendent of Public Instruction, attention Bureau of School Apportionments and Reports, California State Department of Education, 721 Capitol Mall, Sacramento, CA 95814, on or before July 15, 1977. A duplicate copy shall be retained for the county files.

2. NUMBER OF REPORTS
A separate form shall be completed in duplicate for each *district* where special schools and classes are maintained by the county superintendent. *Submit only one report for each such district,* even though there may be different types of instruction given.

3. DIVISOR FOR COMPUTING AVERAGE DAILY ATTENDANCE
The average daily attendance of the school, class, or fund shall be determined by dividing the days of attendance by 175.

4. SIZE OF DISTRICTS OF RESIDENCE
The size of the elementary districts of residence listed in the detail of Item II determines whether the attendance for educable and trainable retarded and educationally handicapped is reported as attendance from districts under 901 or 8,000 a.d.a. or over 900 or 7,999 a.d.a. Extreme care should be taken to determine the size of the districts of residence and to enter the attendance on the correct lines.
Mentally retarded: If the total of the attendance in Item I-B-1-a plus I-B-2-a is greater than the total in Item I-B-1-b plus I-B-2-b, the apportionment is computed using the small school allowance. If the attendance is greater in Item I-B-1-b plus I-B-2-b, the apportionment is computed using a unit rate.
Educationally handicapped: If the attendance reported in Item C-1-a is greater than that in Item C-1-b, the apportionment is computed using a small school allowance. If C-1-b is greater than C-1-a, the apportionment is computed using a unit rate.

5. MAXIMUM ATTENDANCE CREDIT FOR EACH PUPIL
The actual attendance included in Column 2 in any one or several categories shall not exceed one day for any pupil in any calendar day, in accordance with Education Code Section 11001 [46110].

6. COMBINED CLASSES IN ELEMENTARY AND HIGH SCHOOL ATTENDANCE
If the attendance in any class provided by the county superintendent of schools consists of both elementary and high school pupils, the attendance for the foundation program allowance shall be reported as attendance at the level of the majority of pupils. *Do not file separate reports for each level.*

7. ATTENDANCE PERIOD
The attendance for schools and classes maintained by the county superintendent of schools between July 1, 1976, and June 30, 1977, shall be reported.

## INSTRUCTIONS FOR SPECIFIC ITEMS

### I. SPECIAL EDUCATION ATTENDANCE

**A. Emergency Schools**

1. Education Code Section 896 [1920] states that the county superintendents of schools may, when necessary or in order to ensure elementary education for children of migratory workers residing in his county and engaged in seasonal industries in his county and when funds are not available from other spurces, provide any one or more of the following services: (1) establish and maintain one or more elementary schools; (2) provide one or more elementary teachers for regular elementary schools; and (3) provide transportation to an elementary sch . Enter such attendance on line A-1.
2. Enter on Line A-2 the attendance of physically handicapped minors in special day classes maintained by the county superintendent of schools under Education Code Section 894(a) [1850(a)].

**B. Special Training Schools and Classes for Mentally Retarded**
Report the attendance for educable and trainable mentally retarded minors in schools and classes maintained by the county superintendent of schools in accordance with the size of the district of residence, per General Instruction Number 4 (Education Code Section 895 [1880]).

**C. Educationally Handicapped**
Report the attendance of educationally handicapped minors including autistic in classes maintained by the county superintendent of schools in accordance with the size of the district of residence per General Instruction No. 4 (Education Code Section 6751(a) [56602(a)]).

### II. SPECIAL EDUCATION A.D.A. DETAIL *(NOT REQUIRED FOR ANNUAL REPORT.)*

Wilson Riles

*Superintendent of Public Instruction*

Any inquiries concerning this report should be directed to the attention of:

NAME:

TELEPHONE NO.:

California State Department
of Education
Form No. J-27.1-A (Rev. 5-77)

# County Superintendent's Report of Schools and Classes Maintained on a Countywide Basis

## ANNUAL REPORT FOR ELEMENTARY SCHOOL ATTENDANCE

**For the Period Commencing July 1, 1976, and Ending June 30, 1977**

*Please read carefully all the instructions on the reverse of this form.*

FOR STATE USE ONLY
Code No.

County

## I. ATTENDANCE DATA

Decimal points are to be omitted from numerical entries in this report since the decimal line has been provided to represent them. Decimal entries shall be rounded to two places. If there is no decimal fraction, two zeros shall be shown.

| Attendance category | Total days of apportionment attendance 1 | | Average daily attendance (Col. 1 divided by 175) 2 | | For state use only 3 | |
|---|---|---|---|---|---|---|
| | Whole No. | Dec. | Whole No. | Dec. | Whole No. | Dec. |
| A. PHYSICALLY HANDICAPPED | | | | | | |
| 1. Individual Instruction, Home or Hospital | | | | | | |
| 2. Remedial Instruction | | | | | | |
| 3. Integrated Programs | | | | | | |
| B. EDUCATIONALLY HANDICAPPED | | | | | | |
| 1. Learning Disability Groups | | | | | | |
| 2. Home and Hospital Instruction | | | | | | |
| a. From districts under 901 a.d.a. | | | | | | |
| b. From districts over 900 a.d.a. | | | | | | |
| C. COUNTY SCHOOL TUITION FUND | | | | | | |
| D. OPPORTUNITY SCHOOLS AND CLASSES | | | | | | |

| E. JUVENILE HALL SCHOOLS | Average daily attendance 4 | | Number of schools of each size 5 | | | |
|---|---|---|---|---|---|---|
| 1. Schools with less than 101 a.d.a.: | | | | | | |
| a. Schools from 1 to 25 a.d.a. | | | | | | |
| b. Schools from 26 to 50 a.d.a. | | | | | | |
| c. Schools from 51 to 75 a.d.a. | | | | | | |
| d. Schools from 76 to 100 a.d.a. | | | | | | |
| 2. Schools with over 100 a.d.a. | | | | | | |
| 3. Total average daily attendance | | | | | | |
| F. SPECIAL EDUCATION MASTER PLAN | | | | | | |

## II. SPECIAL EDUCATION A.D.A. DETAIL

**(NOT REQUIRED FOR ANNUAL REPORT)**

J-27,1-A

## CERTIFICATION BY COUNTY SUPERINTENDENT OF SCHOOLS

*I hereby certify that the data contained in the foregoing report of attendance are true and correct and in exact conformity with any available records or reports filed in my office to the best of my knowledge and belief.*

Date _____ [Signed] _____
County Superintendent of Schools

## GENERAL INSTRUCTIONS

1. RESPONSIBILITY FOR FILING
This form is to be completed by the county superintendent of schools for the purpose of claiming apportionment from the State School Fund for those schools and classes conducted by the county superintendent of schools' office. The county superintendent of schools shall certify and approve this report. This constitutes his report to the Superintendent of Public Instruction.
The original copy shall be sent to WILSON RILES, Superintendent of Public Instruction, attention Bureau of School Apportionments and Reports, California State Department of Education, 721 Capitol Mall, Sacramento, CA 95814, on or before July 15, 1977. A duplicate copy shall be retained for the county files.

2. NUMBER OF REPORTS
Only one report is required for all attendance in the county for the various programs identified on this form.

3. DIVISOR FOR COMPUTING AVERAGE DAILY ATTENDANCE
The average daily attendance of the school, class, or fund shall be determined by dividing the days of attendance by 175.

4. SIZE OF DISTRICTS OF RESIDENCE
The size of the elementary districts of residence listed in the detail of Item II determines whether the attendance for educationally handicapped (home and hospital instruction) is reported as attendance from districts under 901 a.d.a. or over 900 a.d.a. Extreme care should be taken to determine the size of the districts of residence and to enter the attendance on the correct lines. If the majority of attendance is from districts of less than 901, the apportionment is computed using a small school allowance. If the majority of a.d.a. is from districts of more than 900, the apportionment is computed using a unit rate.

5. MAXIMUM ATTENDANCE CREDIT FOR EACH PUPIL
The actual attendance included in Column 2 in any one of several categories shall not exceed one day for any pupil in any calendar day, in accordance with Education Code Section 11001 [46110].

6. COMBINED CLASSES OF ELEMENTARY AND HIGH SCHOOL ATTENDANCE
If the attendance in any class provided by the county superintendent of schools consists of both elementary and high school pupils, the attendance for the foundation program allowance shall be reported as attendance at the level of the majority of pupils. *Do not file separate reports for each level.*

7. ATTENDANCE PERIOD
The attendance for schools and classes maintained by the county superintendent of schools and for the County School Tuition Fund between July 1, 1976, and June 30, 1977, shall be reported.

## INSTRUCTIONS FOR SPECIFIC ITEMS

I. SPECIAL EDUCATION ATTENDANCE

**A. Physically Handicapped**
If pupils are attending special day classes conducted by the county superintendent of schools and also attend a remedial class or are given individual instruction, report the a.d.a. in only the special day class to avoid a duplication of attendance.
1. Enter on line A-1 the attendance of pupils given individual instruction in the home or at bedside in institutions and of minors with speech defects who are at least three years of age taught by teachers furnished by the county superintendent of schools under Education Code Section 894(d) [1850(d)].
2. Enter on line A-2 the attendance of physically handicapped pupils excused from regular classes to attend remedial classes with special teachers furnished by the county superintendent of schools in the regular schools of the districts of any county under Education Code Section 894.1 [1852].
3. Enter on line A-3 the attendance of pupils participating in integrated programs under Education Code Section 894(g) [1850(g)].

**B. Educationally Handicapped**
1. Enter on line B-1 the attendance of pupils given instruction in learning disability groups by teachers furnished by the county superintendent of schools under Education Code Section 6751(b) [56602(b)].
*Special Instruction for Educationally Handicapped Minors in Juvenile Hall*—The county superintendent reports the a.d.a. for educationally handicapped classes and programs and learning disability groups as juvenile hall attendance. The county superintendent receives the foundation program allowance from the educationally handicapped reported in juvenile hall school and the special allowance from the attendance reported on Form J-22 as educationally handicapped.
2. Enter on line B-2-a or line B-2-b the attendance of pupils given instruction in the home or at bedside in institutions by teachers furnished by the county superintendent of schools under Education Code Section 6751(d) [56602(d)]. See General Instruction Number 4.

**C. County School Tuition Fund**
The superintendent of schools of any county adjacent to an adjoining state may grant permission to pupils residing in the county to attend elementary school in a district of the adjoining state. The average daily attendance of such pupils shall be credited to the County School Tuition Fund in accordance with Education Code sections 20151 [2000] and 20152 [2001]. Enter such attendance on line C.

**D. Opportunity Schools and Classes (Education Code Section 18355(a) [14057(c)])**
Enter on line D the attendance in all opportunity schools and classes conducted by the county superintendent of schools.

**E. Juvenile Hall Schools, Homes, and Camps (Education Code Section 18355(c) [14057(c)])**
*Item E-1.* Enter in Column 4 the *total* average daily attendance of all schools in each size listed in items E-1-a, b, c, and d, as applicable. Enter in Column 5 the number of schools in each size as applicable.
*Item E-2.* Enter in Column 4 the *total* average daily attendance in schools with over 100 average daily attendance. Enter in Column 5 the number of schools with over 100 a.d.a.
*Item E-3.* Enter in Column 4 the *total* average daily attendance for all sizes of juvenile hall schools.
(See special instructions for educationally handicapped minors under B-1.)

**F. Special Education Master Plan (Education Code sections 7001 and 7008 [56301 and 56313])**
Report the attendance in all schools or classes conducted by the county superintendent in accordance with the approved special education master plan. The apportionment is computed using a unit rate foundation program allowance.

II. SPECIAL EDUCATION A.D.A. DETAIL (NOT REQUIRED FOR THE ANNUAL REPORT)

Any inquiries concerning this report should be directed to the attention of:
NAME:
TELEPHONE NO.:

Wilson Riles
*Superintendent of Public Instruction*

CALIFORNIA STATE
DEPARTMENT OF EDUCATION
Form No. J-28-A (Rev. 5-77)

# COUNTY SUPERINTENDENT'S REPORT OF SCHOOLS AND CLASSES MAINTAINED

## Annual Report for High School Attendance

### For the Period Commencing July 1, 1976, and Ending June 30, 1977

**Please read carefully all instructions before making any entries on this form.**

COMPOSITE REPORT _____ County

Attendance data to be employed in the principal apportionment of the State School Fund

| Type of class | 1 Total days of apportionment attendance | | 2 Average daily attendance (Col. 1 ÷ 175) | | ☐ FOR STATE USE ONLY |
|---|---|---|---|---|---|
| | Whole No. | Dec. | Whole No. | Dec. | |
| A. PHYSICALLY HANDICAPPED MINORS | | | | | |
| B. MENTALLY RETARDED MINORS | | | | | |
| C. EDUCATIONALLY HANDICAPPED MINORS | | | | | |
| D. JUVENILE HALLS, HOMES, AND CAMPS | | | | | |
| E. COUNTY SCHOOL TUITION FUND | | | | | |
| F. REGIONAL OCCUPATIONAL CENTERS AND PROGRAMS | SEE J-19-A SUPPLEMENT COUNTY | | | | |
| G. TECHNICAL SCHOOLS (Education Code Section 1790) | | | | | |
| H. OPPORTUNITY SCHOOLS OR CLASSES (Education Code Section 14058) | | | | | |
| I. HANDICAPPED ADULTS (Education Code Section 52570) | | | | | |
| J. SPECIAL EDUCATION MASTER PLAN | | | | | |

### CERTIFICATION

*I hereby certify that to the best of my knowledge and belief:*

1. *This report is true and correct.*
2. *All attendance data have been compiled and reported in accordance with the provisions of the Education Code and the rules and regulations of the State Board of Education, as contained in the California Administrative Code, Title 5, Education, and the instructions in this form.*

Date _____ [Signed] _____
(County Superintendent of Schools)

J-28-A

## GENERAL INSTRUCTIONS

**1. RESPONSIBILITY FOR FILING**
This form is to be completed by the county superintendent of schools for the purpose of claiming apportionment from the State School Fund for those secondary grades in schools and classes maintained by the county superintendents of schools. The county superintendent of schools shall certify and approve this report. This constitutes his report to the Superintendent of Public Instruction.

The original copy of each form shall be sent to WILSON RILES, Superintendent of Public Instruction, attention Bureau of School Apportionments and Reports, California State Department of Education, 721 Capitol Mall, Sacramento, CA 95814, on or before July 15, 1977. A duplicate copy shall be retained for the county files.

**2. COMPOSITE REPORT**
*Do not* make separate reports for schools and classes maintained by the county superintendent of schools at the secondary level.

**3. DIVISOR FOR COMPUTING AVERAGE DAILY ATTENDANCE**
The average daily attendance of the school, class, or fund shall be determined by dividing the days of attendance by 175.

**4. MAXIMUM ATTENDANCE CREDIT FOR EACH PUPIL**
No pupil in a high school, other than a pupil in a vocational education program occupationally organized and conducted under federal approval, evening high school, continuation high school, or continuation education class, shall be credited with more than one day of attendance in any calendar day (Education Code Section 46140).

**5. ATTENDANCE PERIOD**
*The attendance for schools and classes maintained by the county superintendent of schools and for this County School Tuition Fund is reported for the fiscal year commencing July 1, 1976, and ending June 30, 1977.*

**6. COMBINED PROGRAMS OF ELEMENTARY AND HIGH SCHOOL ATTENDANCE**
If the attendance in any school, class, or program provided by the county superintendent of schools consists of both elementary and high school pupils, the attendance shall be reported as attendance at the level of the majority of pupils. *Do not file separate reports for each level.*

## SPECIFIC INSTRUCTIONS

**I. SPECIFIC EDUCATION ATTENDANCE**

A. PHYSICALLY HANDICAPPED MINORS
Include special classes, remedial instruction, and individual instruction (Education Code Section 1850).

All programs for physically handicapped minors shall be entered in the space provided.

B. MENTALLY RETARDED MINORS
Include schools and classes for educable and trainable mentally retarded minors (Education Code Section 1880).

The attendance of educable and trainable mentally retarded minors shall be entered in the space provided.

C. EDUCATIONALLY HANDICAPPED MINORS
Include special education programs authorized (Education Code Section 46602).
The attendance of all pupils in programs for all educationally handicapped minors shall be entered in the space provided.

D. JUVENILE HALLS, HOMES, AND CAMPS
The attendance for pupils in classes maintained by the county superintendent of schools in juvenile halls, homes, and camps shall be entered in the space provided.

SPECIAL INSTRUCTIONS FOR EDUCATIONALLY HANDICAPPED MINORS IN JUVENILE HALL
The county superintendent reports the a.d.a. for educationally handicapped classes and programs as juvenile hall attendance. The county superintendent receives the Foundation Program allowance from the educationally handicapped attendance reported in a juvenile hall school and the special allowance for educationally handicapped attendance reported on Form No. J-22-P2.

E. COUNTY SCHOOL TUITION FUND
The county superintendent of schools of any county adjacent to an adjoining state may grant permission to pupils residing in the county to attend secondary school in a district of the adjoining state. The average daily attendance of such pupils shall be credited to the County School Tuition Fund. (Education Code Sections 2000-2001)

F. REGIONAL OCCUPATIONAL CENTERS AND PROGRAMS
Commencing July 1, 1976, and thereafter the attendance of pupils in regional occupational centers and programs maintained by the county superintendent of schools shall be credited to the district of residence.

G. TECHNICAL, AGRICULTURAL, AND NATURAL RESOURCE CONSERVATION SCHOOLS
The attendance for technical, agricultural, and natural resource conservation schools or classes shall be reported on line G (Education Code Section 1790).

H. OPPORTUNITY SCHOOLS OR CLASSES
The attendance for classes in opportunity schools or classes shall be reported in the space provided (Education Code Section 14058).

I. HANDICAPPED ADULTS
The attendance for classes for handicapped adults shall be reported in the space provided. All classes for handicapped adults shall be approved by the General Education Support Unit, State Department of Education. (Education Code Section 52570).

J. SPECIAL EDUCATION MASTER PLAN
Report the attendance for the approved Special Education Master Plan.

### SPECIAL INSTRUCTION

EDUCATIONALLY HANDICAPPED IN JUVENILE HALL

All attendance for educationally handicapped children instructed in juvenile hall shall be reported on line C. A.d.a. of learning disability groups in juvenile hall shall be deducted from the total juvenile hall a.d.a. and reported as educationally handicapped.

Wilson Riles

*Superintendent of Public Instruction*

# Index


Absence
  allowable as attendance, 27
  because of bereavement leave, 27
  certificated employee-initated, 29
  due to illness or other reasons, verification requirements for, 28
  for physically handicapped pupils at home or in an institution, 28–29
  for pupils in classes for adults, 29
  for pupils in evening schools or schools for adults, 29
  for pupils in special day and evening classes, 29
  for religious purposes, 29
  not allowed for apportionment, 28–29
  on holidays and days of special observance, 29–30
  partial-day, unauthorized, 29
  pupil-initiated, 29
  record of, 27
Academic year, definition of, 31, 45
Admission charge, effect of, 11
Adult, definition of
  for adult education classes, 37
  for regional occupational centers and programs, 42
Adults
  concurrently enrolled, 67
  in certain institutions, 67
  nonconcurrently enrolled, 67
Adults, classes for
  absences not allowed in, 29
  admission of adults to, 38
  admission of minors to, 38
  authorization for, 37
  computation of average daily attendance for, 37–38
  day of attendance for, 38
  duration of, 37
  during the summer, 45
  forms for reporting average daily attendance for, 38
  in community colleges, 37
  involving a forum or lecture series, 37
  involving physical education and crafts, 37
  maximum credit of attendance for, 38
  on weekends, 38
  records and reports for, 37
  required enrollment to constitute, 37
  supplementary lectures in, 37
Annual attendance reports, purposes of, 78
Apportionments
  advance, 77
  corrections and adjustments to, 18, 77, 78
  first principal, 17, 77–78
  second principal, 17, 77–78
Attendance accounting
  central, 1–2, 14
  Department of Education services for, 2
  publications on:
    California Administrative Code, Title 5, Education, 2
    Education Code, 2
    miscellaneous, 2
    State School Register, 2
  purposes of, 1
  responsibility for, by:
    attendance supervisors, 2–3
    business services personnel, 2
    principals, 3
    special education personnel, 3
    teachers, 3
  rules and regulations on, 1
  state approval of other systems of, 14
  through regional data-processing center, 1–2, 14
Attendance accounting, central
  and use of data processing, 14
  approval of forms and procedures for, 14
Attendance area, school
  governing board to establish, 4
  prevention of racial and ethnic imbalance in, 4
Attendance supervisor
  authorization for, 2–3
  role of, 2–3
Average daily attendance
  elements affecting, 32
  method of computing, 32–34

Bereavement leave of absence, 27
Birth Registration, Notification of, 5
Bureau of School Apportionments and Reports, information sent to, 2
Business services personnel, role of, in attendance accounting, 2

*California Public School Directory*, list of services in, 2
Central attendance accounting
  and use of data processing, 14
  approval of forms and procedures for, 14
Cerebral palsy, children with, 60
Clock hour, report of attendance by, 11, 12
Community college, high school students in
  admission requirements for, 35
  apportionments for, 35
  authorization for attendance of, 35

maximum credit for attendance of, 36
permissive vocational education classes for, 36
Community service classes
maintenance of attendance records for, 38
responsibility for cost of, 38
special report of attendance for, 38
Compulsory education
age limits, 4
and enrollment in correspondence school courses, 4
related to continuation education, 4
Concurrently enrolled students, 42
Conservation program, 41
Contagious disease, carrier of, 28
Continuation education schools, classes
and the necessary small high school, 40
compulsory, 4
computation of average daily attendance for, 40
districts exempt from conducting, 39
establishment and operation of, 39–41
for minors not regularly employed, 39
forms used for reporting average daily attendance in, 40
hours of instruction in, 39
information on, contained in *Handbook on Continuation Education in California*, 41
minimum school day for, 39
minimum weekly attendance requirement for, 39
persons exempted from attending, 39–40
principal's annual and period reports on, 41
record and report of attendance in, 40
required attendance in, 39
separate, 39
transfer to, for disciplinary reasons, 40
Correspondence school courses, 4

Day, school, authority to establish length of, 32
Deaf or severely hard of hearing, experimental program for, 60
Driver training classes on holidays, 30, 32
Destruction of pupil records, 11, 23–25

Educationally handicapped pupils
additional special allowance for, 52
admission to programs for, 50
application of foundation program for, 48
attendance accounting requirements in programs for, 50–52
authorization of instruction for, 49
autistic, 48
computation of average daily attendance for, 50–52
credit of attendance for, 51
credit to County School Service Fund, for instruction of, 50
definition of, 48
extension of program for, prior approval of, 49
forms used in reporting attendance for, 51–52
home and hospital instruction for, 51
instruction of, in licensed children's institution, 49
learning disability groups for, 52
limitation on enrollment of, 49
maximum class size for, 49
minimum school day for, 50
record of attendance for, 51–52
report of attendance for, 51
special day classes for, 51
special register for, 13
Elementary school
admission of adults to, 6
admission of physically handicapped pupils to, 6
admission of pupils from kindergarten to, 6
admission of transferred enrollees to, 6
attendance accounting, 33–34
computation of average daily attendance in, 34
daily sessions in, 33
early advancement to, from kindergarten, 6
exclusion from, because of age, 6
forms for reporting average daily attendance in, 34
kindergarten combined with one or more grades in, 33
maximum credit for attendance in, 33
maximum school day for kindergarten pupils in, 33
minimum age of admission to, 6
minimum school day, alternative computation of, 33–34
minimum school day for grades four through eight in, 33
minimum school day for grades one, two, and three in, 33
150-minute kindergarten classes in, 33
preschool combined with kindergarten in, 33
proof of age for admission to, 6
recesses in, 34
single-session kindergarten classes in, 33
Emergency attendance accounting
description of conditions requiring, 69–70
forms required for, 70
Emergency elementary schools
authorization for, 70
computation of average daily attendance for, 70
forms required in reporting attendance for, 70
record of attendance in, 70
report of attendance for, 70
Epidemic requiring emergency attendance accounting, 69–70
Evening high schools
absences not allowed for attendance in, 29
computation of average daily attendance for, 35
credit for attendance in, 35
days and hours of, 35
establishment and maintenance of, 35
permission required for attendance in, 35
Excusal from school or class, effect of, 11–12
Exposure to quarantinable disease, 28
Extended day classes, 10

Family foster homes, children residing in
claims for cost of educating, 69
method of determining cost of educating, 68
reimbursement for cost of educating, 68–69

Fire, result of, requiring emergency attendance accounting, 69–70
Fiscal year, definition of, 31
Flood, result of, requiring emergency attendance accounting, 69–70
Forestry program
  agreement to provide, 42
  authorization for, 41
Forms, attendance accounting
  approval of, by Bureau of Management Services, 2
  data required on, 2
  provided by Bureau of School Apportionments and Reports, 1
  state distribution of, 23
Foundation program
  district aid toward, 78
  level of funding, 78–79
  state basic aid toward, 78
  state equalization aid toward, 78
Four-year high school, definition of, 34
Funeral services, absence to attend, 27

Grade level
  attendance accounting by, 33–36
  definition of, for attendance accounting, 33

Handicapped pupils
  absence not allowed for, under certain conditions, 28–29
  definition of, 19
  special educational facilities and services for, 19, 20
  tuition payments for, 19–20
Health care, visits for, related to illness, 28
High school
  admission of nonresidents of district to, 8
  admission to adult classes in, 10
  admission to, eligibility requirements for, 8
  admission to, from other high schools, 10
  admission to, from other states, 8
  admission to grade level of, 8
  attendance accounting, 34–36
  computation of average daily attendance in, 36
  extended day classes, 10
  forms for reporting average daily attendance in, 36
  mandatory provision of, by school district, 34
  maximum credit for attendance in, 34
  minimum school day in, 34
  minimum school day in, alternative computation of, 34–35
  minimum school day in, exceptions to, 35
  minimum school week in, 34
  noon intermission in, 35
  passing time allowed in, 35
  postgraduate courses, 10
  tax receipts, crediting of, 9
  transcripts, charge for, 10
  tuition payments for pupils in, 9–10

Holidays
  absence from school on, 29
  appointed by Governor, 29–30
  declaration of, by governing board, 30
  driver training classes on, 30
  maintenance of school on, because of climate, 30
  maintenance of school on, because of emergency, 30
Hospitals, children residing in
  claims for cost of educating, 69
  method of determining cost of educating, 68
  reimbursement of cost of educating, 68–69

Illness
  absence because of, 27, 28
  impetigo as, 28
  pediculosis (head lice) as, 28
  prolonged, 28
  recuperation from, 28
  related to carrier of a contagious disease, 28
  related to visits for health care, 28
  ringworm as, 28
  scabies as, 28
  verification of absence because of, 28
Immediate family, definition of, 27
Impassable roads requiring emergency attendance accounting, 69–70
Impetigo as illness, 28
Institutions, adults in certain
  approval of classes for, 67
  attendance and enrollment of, 67
  classes for, authorization for Department of Corrections to conduct, 67
  records and reports used in attendance accounting for, 67
Institutions, children in licensed
  claims for cost of educating, 69
  method of determining cost of educating, 68
  reimbursement for educating, 68–69
Interdistrict attendance
  agreements governing, 71
  computation of average daily attendance for, 72–73
  credit of average daily attendance for, 72–73
  electorate-initiated, 72
  for adults, 71
  for handicapped and retarded pupils, 71
  miscellaneous provisions affecting, 71–72
  payment of tuition for, 71
  pupil-initiated, 70–71
Interstate attendance
  authorization for, 73, 74
  certification of attendance for, 73
  computation of average daily attendance for, 73
  credit of average daily attendance for, 73
  forms used in reporting attendance for, 73
  payment of tuition for, 73
  power to grant permission for, 73
  report of average daily attendance for, 73

Junior high school
admission to, requirements for, 6
attendance and apportionment for pupils in, 8, 34–36
definition of, 34
permission to attend, in another district, 8
pupils in grades seven and eight of, separate register for, 13
tuition payments for students in, 6–8
Juvenile halls, homes, ranches, and camps
authorization for, 74
computation of average daily attendance for, 74–75
conduct of classes in, 74
establishment and maintenance of schools in, 74
forms used in reporting attendance for, 74, 75

Kindergarten
admission from, to elementary school, 6
classes in summer school, 45
establishment and maintenance of, 5
first grade combined with, 5
minimum age for admission to, 5
minimum school day in, 5
one or more elementary grades combined with, 5
proof of age for admission to, 5
separate register for pupils in, 12
single-session class in, 33

Learning handicapped pupils
admission to programs for, 56
annual report on, 53, 54
apportionments to school districts for, 54–55
attendance accounting requirements for, 57
computation of average daily attendance for, 57
definition of, 52–53
enrollment of, 53
examination of, by psychologist, 56
examination of, objection to, 56
forms used in reporting attendance for, 56, 57
four-year secondary school program for, 54
integrated programs for, 57
interdistrict agreements affecting, 54
maximum enrollment for, 53, 54
minimum school day for, 53
payments to parents of, 56
programs for, 53
record of attendance of, 57
requirement to educate, 53
schools for, maintained by county superintendent of schools, 55–56
waiver of maximum enrollment requirement for, 53

Marine science, in outdoor science program, 41
Master Plan for Special Education, 66
Medical, dental, or optometrical services, absence to receive, 27
Mentally gifted minors
definition of, 65
education of, allowances for, 66
nature of programs for, 66
programs for, approval of, 65–66
services for, provided by county superintendent of schools, 66
Mexico, residents of, 75
Minor, definition of, in special situation, 68
Minutes, report of attendance by, 12
Month, school, definition of, 31

Negative attendance accounting
definition of, 12
uses of, 12
Noncitizen children
claims for cost of educating, 69
definition of, 68
method of determining cost of educating, 68
reimbursement for educating, 68–69
Nonconcurrently enrolled students, 42
Nonimmigrant children
claims for cost of educating, 69
definition of, 68
list of, to be submitted to board of supervisors, 69
method of determining cost of educating, 68
reimbursement for educating, 68
Noon intermission
in elementary school, 33
in high school, 35
in kindergarten, 33
Notes from home, retention of, 28

Outdoor science, conservation, and forestry education
authorization for, 41–42
crediting of attendance for, 42
involving marine science, 41
record of attendance for, 42
transfer of funds to pay cost of training in, 42
use of field books for recording attendance in, 42
Opportunity schools, classes
computation of average daily attendance for, 41
forms for reporting average daily attendance for, 41
minimum day for, 41

Pediculosis (head lice) as illness, 28
Physically handicapped pupils
admission to programs for, 6, 62
annual report of attendance for, 63
attendance accounting procedures for, 62–64
attendance records for, 59
classes for, provided by county superintendent of schools, 61–62
computation of allowances for, 59
computation of average daily attendance for, 62
definition of, 56–57
experimental programs for, 60
forms used in reporting attendance of, 59
given individual instruction, special register for, 12

individual instruction for, 64
in hospitals, sanatoriums, and preventoriums, attendance credit for, 61
in remedial classes, 13
in special day classes, separate register for, 12
integrated programs of instruction for, 64–65
kindergarten classes for, 63
maximum class size for, 58
minimum age of admission for, 59
places of instruction for, 59
programs for, 58
regular day classes for, 63
remedial classes for, 63–64
responsibilities of county superintendents for, 61
special day schools or classes for, 64
transportation of, 64
waiver of maximum class size for, 58
who are multihandicapped, special day classes for, 59–60
who are deaf or severely hard of hearing, 60
with cerebral palsy, 60–61
Positive attendance accounting
definition of, 11
pupils involved in, 12
uses of, 11–12
Postgraduate courses in high school, 10
Prekindergarten program in summer school, 45
Program, attendance accounting by, 36–47

Quarantine, absence because of, 27, 28

Recesses
in elementary school, 33
in kindergarten, 33
Records, pupil
audit of, 1
classification of, 25
definition of, 14–15, 24
destruction of, 23–25
falsification of, 11
importance of, 1
limitations on access to, 15–16
lost or destroyed, 11, 69–70
maintenance of, 14, 15
privacy of, 25–26
reason for keeping, 11
regulations governing use of, 14–16
removal of, 11
security of, 14, 15
theft of, 11
transfer of, 15
withholding of, 15
Regional occupational centers and programs
attendance requirement for, 42–44
cooperative vocational education classes in, 43–44
creditable attendance in, 43
interdistrict agreements affecting, 44
minimum day for, 42
partial absence in, 43
passing time in, 43
report of average daily attendance for, 44
Removal of minor from school, 4
Reports, attendance and enrollment
annual, 16–17
by elementary teachers, 17
daily, 16
filing of, 18
for special education programs, 18–19
monthly, 16
other reports related to, 22–23
period, 16–17
required, description of, 20–22
weekly, 16
Resident of Mexico
admission to California schools of, 75
credit of average daily attendance for, 75
payment of tuition for, 75
transportation of, 75
Ringworm as illness, 28

Safety hazard, imminent, requiring emergency attendance accounting, 69–70
Saturday and Sunday classes
authorization for, 29, 31
limitations governing, for attendance credit, 29, 31
Scabies as illness, 28
School
day, authority to establish length of, 32
month, definition of, 31
term, required length of, 31
week, definition of, 31
year, definition of, 31
*Selected Publications of the California State Department of Education*, 2
Senior high school, definition of, 34
Special day and evening classes
absence not allowed for, 29
separate register for, 13
Special education personnel, role of, in attendance accounting, 3
Special observances, list of, 30
Speech defects, children with, 62–63
State school fund
adjustments to, 76–77
effect of fiscal a.d.a. on, 76
payments from, 77–78
transfer of monies to, from State General Fund, 76
State School Register
and use of other attendance accounting systems, 12, 14
annually updated compilation in, 12
description of, 12
distribution of, 23
exemption from keeping, 12, 13–14
maintenance of, 12, 13

requirement to keep, 12
substitution for, 1–2
use of separate, under certain conditions, 12–13
uses of, 12
Summer school
absence from, 45
and classes for adults, 45
and classes for exceptional students, 45
attendance accounting procedures for, 45
authorization for, 45
beginning and end of, 45
classes, separate register for, 13
exemptions from time requirements for, 44
forms used in reporting attendance in, 45
kindergarten classes, 45
prekindergarten program, 45
schedule of classes for, 45
time requirements for, 44, 45
work-experience education in, 45
yearly state information packet on, 45
Technical, agricultural, and natural resource conservation schools
authorization for, 45
computation of average daily attendance for, 46
contribution for excess cost of, 46
credit to County School Service Fund for attendance at, 46
Term, school, required length of, 31
Theft of pupil records, 11
Transcripts, charge for, 10
Transportation strike requiring emergency attendance accounting, 69–70

Verfication of absence
for students eighteen years of age and older, 28
method of, 28
requirements for, 28

Week, school, definition of, 31
Weekends, classes on
authorization for, 29, 31
kinds of, 29, 31
limitations governing, for attendance credit, 29
Work-experience programs
authorization for, 46
computation of average daily attendance for, 46
not allowed as part of ROCs/ROPs, 46

Year
academic, definition of, 31
fiscal, definition of, 31
school, definition of, 31
Year-round schools
absence from, because of illness or other reasons, 46
minimum day, standards for, 46–47
support for, from State School Fund, 47



71-147(03–1395) 83562–300 7-77 10M